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RESERVATIONS: (202) 741-6008



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DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 1030

[Docket No. AO-361-A39; DA-04-03A]

Milk in the Upper Midwest Marketing Area; Interim Order Amending the Order

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Interim final rule.

SUMMARY: This order amends certain features of the pooling standards and transportation credit provisions of the Upper Midwest (UMW) milk marketing order on an interim basis. More than the required number of producers in the UMW marketing area have approved the issuance of the interim order as amended.

DATES: Effective July 1, 2005.

FOR FURTHER INFORMATION CONTACT: Gino M. Tosi, Marketing Specialist, Stop 0231, Room 2971, USDA/AMS/Dairy Programs, Order Formulation and Enforcement Branch, 1400 Independence Avenue, SW., Washington, DC 20250-0231, (202) 690-1366, e-mail address: gino.tosi@usda.gov.

SUPPLEMENTARY INFORMATION:

Specifically, this decision amends the UMW order by: (1) Revising the supply plant performance standards so that milk seeking to be pooled on the order demonstrates consistent service to the Class I market; (2) preventing handlers located within the States that comprise the UMW marketing area from qualifying milk located outside of the States that comprise the marketing area; (3) eliminating diversions to nonpool plants outside of the States that comprise the UMW marketing area; and (4) establishing a limit of the receipt by

handlers of a transportation credit to milk movements of 400 miles or less.

This administrative rule is governed by the provisions of sections 556 and 557 of title 5 of the United States Code and, therefore, is excluded from the requirements of Executive Order 12866.

This interim rule has been reviewed under Executive Order 12988, Civil Justice Reform. This rule is not intended to have a retroactive effect. This rule will not preempt any State or local laws, regulations, or policies, unless they present an irreconcilable conflict with this rule.

The Agricultural Marketing Agreement Act of 1937 (the Act), as amended (7 U.S.C. 601-674), provides that administrative proceedings must be exhausted before parties may file suit in court. Under Section 608c(15)(A) of the Act, any handler subject to an order may request modification or exemption from such order by filing with the Department of Agriculture (Department) a petition stating that the order, any provision of the order, or any obligation imposed in connection with the order is not in accordance with the law. A handler is afforded the opportunity for a hearing on the petition. After a hearing, the Department would rule on the petition. The Act provides that the District Court of the United States in any district in which the handler is an inhabitant, or has its principal place of business, has jurisdiction in equity to review the Department's ruling on the petition, provided a bill in equity is filed not later than 20 days after the date of the entry of the ruling.

Small Business Consideration

In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Agricultural Marketing Service has considered the economic impact of this action on small entities and has certified that this interim rule will not have a significant economic impact on a substantial number of small entities. For the purpose of the Regulatory Flexibility Act, a dairy farm is considered a "small business" if it has an annual gross revenue of less than \$750,000, and a dairy products manufacturer is a "small business" if it has fewer than 500 employees.

For the purposes of determining which dairy farms are "small businesses," the \$750,000 per year criterion was used to establish a production guideline of 500,000 pounds

per month. Although this guideline does not factor in additional monies that may be received by dairy producers, it should be an inclusive standard for most "small" dairy farmers. For purposes of determining a handler's size, if the plant is part of a larger company operating multiple plants that collectively exceed the 500-employee limit, the plant will be considered a large business even if the local plant has fewer than 500 employees.

During August 2004, the month during which the hearing occurred, there were 15,608 dairy producers pooled on, and 60 handlers regulated by, the UMW order. Approximately 15,082 producers, or 97 percent, were considered small businesses based on the above criteria. On the processing side, approximately 49 handlers, or 82 percent, were considered small businesses.

The adoption of the proposed pooling standards serves to revise established criteria that determines those producers, producer milk, and plants that have a reasonable association with, and are consistently serving the fluid needs of, the UMW milk marketing area. Criteria for pooling are established on the basis of performance levels that are considered adequate to meet the Class I fluid needs and, by doing so, determine those producers who are eligible to share in the revenue that arises from the classified pricing of milk. Criteria for pooling are established without regard to the size of any dairy industry organization or entity. The established criteria are applied in an identical fashion to both large and small businesses and do not have any different economic impact on small entities as opposed to large entities. The criteria established for transportation credits is also identically applied to both large and small businesses and do not have any different economic impact on small entities. Therefore, the proposed amendments will not have a significant economic impact on a substantial number of small entities.

Prior documents in this proceeding:

Notice of Hearing: Issued June 16, 2004; published June 23, 2004 (69 FR 34963).

Notice of Hearing Delay: Issued July 14, 2004; published July 21, 2004 (69 FR 43538).

Tentative Partial Decision: Issued April 8, 2005; published April 14, 2005 (70 FR 19709).

Findings and Determinations

The findings and determinations hereinafter set forth supplement those that were made when the UMW order was first issued and when it was amended. The previous findings and determinations are hereby ratified and confirmed, except where they may conflict with those set forth herein.

The following findings are hereby made with respect to the UMW order:

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the UMW marketing area.

Upon the basis of the evidence introduced at such hearing and the record thereof it is found that:

(1) The UMW order, as hereby amended on an interim basis, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the marketing area, and the minimum prices specified in the order, as hereby amended on an interim basis, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The UMW order, as hereby amended on an interim basis, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional Findings.* It is necessary and in the public interest to make these interim amendments to the UMW order effective July 1, 2005. Any delay beyond that date would tend to disrupt the orderly marketing of milk in the aforesaid marketing area.

The interim amendments to this order are known to handlers. The final decision containing the proposed amendments to this order was issued on April 8, 2005.

The changes that result from these interim amendments will not require extensive preparation or substantial alteration in the method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making these interim order amendments effective on July 1, 2005.

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in Section 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the specified marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this interim order amending the UMW order is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended;

(3) The issuance of the interim order amending the UMW order is favored by at least two-thirds of the producers who were engaged in the production of milk for sale in the marketing area.

List of Subjects in 7 CFR Part 1030

Milk marketing orders.

Order Relative to Handling

It is therefore ordered, that on and after the effective date hereof, the handling of milk in the UMW marketing area shall be in conformity to and in compliance with the terms and conditions of the order, as amended, and as hereby further amended on an interim basis, as follows:

■ The authority citation for 7 CFR part 1030 reads as follows:

Authority: 7 U.S.C. 601–674.

PART 1030—MILK IN THE UPPER MIDWEST MARKETING AREA

■ 1. In § 1030.7, paragraph (c)(2) is revised to read as follows:

§ 1030.7 Pool plant.

* * * * *

(c) * * *

(2) The operator of a supply plant located within the States of Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin, and the Upper Peninsula of Michigan may include as qualifying shipments under this paragraph milk delivered directly from producers' farms pursuant to §§ 1000.9(c) or 1030.13(c) to plants described in paragraphs (a), (b) and (e) of this section. Handlers may not use shipments pursuant to § 1000.9(c) or

§ 1030.13(c) to qualify plants located outside the area described above.

* * * * *

■ 2. In § 1030.13, paragraph (d) introductory text is revised to read as follows:

§ 1030.13 Producer milk.

* * * * *

(d) Diverted by the operator of a pool plant or a cooperative association described in § 1000.9(c) to a nonpool plant located in the States of Illinois, Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin, and the Upper Peninsula of Michigan, subject to the following conditions:

* * * * *

■ 3. In § 1030.55, paragraph (a)(2) is revised to read as follows:

§ 1030.55 Transportation credits and assembly credits.

(a) * * *

(2) Multiply the hundredweight of milk eligible for the credit by .28 cents times the number of miles, not to exceed 400 miles, between the transferor plant and the transferee plant;

* * * * *

Dated: May 26, 2005.

Kenneth C. Clayton,

Acting Administrator, Agricultural Marketing Service.

[FR Doc. 05–10835 Filed 5–31–05; 8:45 am]

BILLING CODE 3410–02–P

FARM CREDIT ADMINISTRATION

12 CFR Part 617

RIN 3052–AC24

Borrower Rights; Effective Date

AGENCY: Farm Credit Administration.

ACTION: Notice of effective date.

SUMMARY: The Farm Credit Administration (FCA) published a final rule under part 617 on April 12, 2005 (70 FR 18965). This final rule allows a borrower to waive borrower rights when receiving a loan from a qualified lender as part of a loan syndication with non-Farm Credit System lenders that are otherwise not required by section 4.14A(a)(6) of the Farm Credit Act of 1971, as amended, to provide borrower rights and provides qualified lenders needed flexibility to meet the credit needs of borrowers seeking financing from a qualified lender as part of certain syndicated lending arrangements. In accordance with 12 U.S.C. 2252, the effective date of the final rule is 30 days from the date of publication in the **Federal Register** during which either or

both Houses of Congress are in session. Based on the records of the sessions of Congress, the effective date of the regulations is May 26, 2005.

DATES: The regulation amending 12 CFR part 617, published on April 12, 2005 (70 FR 18965), is effective May 26, 2005.

FOR FURTHER INFORMATION CONTACT: Mark Johansen, Senior Policy Analyst, Office of Policy and Analysis, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4498, TTY (703) 883-4434; or Howard Rubin, Senior Attorney, Office of General Counsel, Farm Credit Administration, McLean, VA 22102-5090, (703) 883-4020, TTY (703) 883-4020.

(12 U.S.C. 2252(a)(9) and (10))

Dated: May 26, 2005.

Jeanette C. Brinkley,
Secretary, Farm Credit Administration Board.
[FR Doc. 05-10874 Filed 5-31-05; 8:45 am]
BILLING CODE 6705-01-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 902

50 CFR Part 648

[Docket No. 050314072-5126-02; I.D. 030705D]

RIN 0648-AS33

Fisheries of the Northeastern United States; Northeast (NE) Multispecies Fishery; Framework Adjustment 40B

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Final rule.

SUMMARY: NMFS is implementing approved measures contained in Framework Adjustment 40B (FW 40B) to the NE Multispecies Fishery Management Plan (FMP). FW 40B was developed by the New England Fishery Management Council (Council) to modify existing effort control programs implemented under Amendment 13 to the FMP to improve the effectiveness of these programs, to create additional opportunities for commercial fishing vessels in the fishery to target healthy groundfish stocks, and to increase the information available to assess groundfish bycatch in the herring fishery. This final rule implements several revisions to the Days-at-Sea (DAS) Leasing and Transfer Programs, modifies provisions for the Closed Area

(CA) II Yellowtail Flounder Special Access Program (SAP), revises the allocation criteria for the Georges Bank (GB) Cod Hook Sector (Sector), establishes a DAS credit for vessels standing by an entangled whale, implements new notification requirements for Category 1 herring vessels, and removes the net limit for Trip gillnet vessels.

DATES: Effective June 1, 2005.

ADDRESSES: Copies of FW 40B, its Regulatory Impact Review (RIR) and the Environmental Assessment (EA) are available from Paul J. Howard, Executive Director, New England Fishery Management Council, 50 Water Street, The Tannery—Mill 2, Newburyport, MA 01950. NMFS prepared a Final Regulatory Flexibility Analysis (FRFA), which is contained in the Classification section of this final rule. The EA/RIR/FRFA are also accessible via the Internet at <http://www.nero.nmfs.gov>. Copies of the Small Entity Compliance Guide are available from the Regional Administrator, Northeast Regional Office, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298.

Written comments regarding the burden-hour estimates or other aspects of the collection-of-information requirements contained in this final rule should be submitted to the Regional Administrator at the address above and to David Rostker, Office of Management and Budget (OMB), by e-mail at drostker@omb.eop.gov, or fax to (202) 395-7285.

FOR FURTHER INFORMATION CONTACT: Douglas W. Christel, Fishery Policy Analyst, (978) 281-9141, fax (978) 281-9135.

SUPPLEMENTARY INFORMATION:

Background

The Council developed Amendment 13 in order to bring the FMP into conformance with all Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requirements, including ending overfishing and rebuilding all overfished groundfish stocks. Amendment 13 was partially approved by the Secretary of Commerce on March 18, 2004. A final rule implementing the approved measures in the amendment was published April 27, 2004 (69 FR 22906) and became effective May 1, 2004. Because of the mixed-stock nature of the NE multispecies fishery, management measures to reduce mortality on overfished stocks adopted in Amendment 13, including effort reductions, are expected to reduce fishing mortality more than is necessary

on other, healthy stocks. As a result, yield from healthy stocks may be sacrificed and the FMP may not provide for the fishery to harvest the optimum yield (OY), the amount of fish that will provide the greatest overall benefit to the Nation, from all stocks managed under the FMP for a given year.

Amendment 13 categorized the DAS allocated to each NE multispecies permit as Category A, B (Regular), B (Reserve), or C DAS. Category A DAS can be used to target any regulated groundfish stock, while Category B DAS are to be used only to target healthy groundfish stocks. Category C DAS cannot be used unless authorized at some time in the future. The regulations implementing Amendment 13 created one opportunity to use Category B DAS: A SAP designed to target GB yellowtail flounder in CA II. Framework Adjustment 40A (FW 40A), implemented November 19, 2004 (69 FR 67780), provided additional opportunities to use Category B DAS by creating two SAP's to target GB haddock and a pilot program designed for using Category B (Regular) DAS outside of a SAP (*i.e.*, the Regular B DAS Pilot Program). These programs are intended to allow vessels to target healthy groundfish stocks without compromising the rebuilding programs of other groundfish stocks, thus enabling the industry to harvest OY from the healthy stocks.

Since the implementation of Amendment 13 and submission of FW 40A, several issues have been raised concerning the overall approach to controlling effort. FW 40B proposes to address these new issues by improving the effectiveness of the Amendment 13 effort control program, including the opportunities developed to target healthy stocks and other measures to facilitate adaptation to the Amendment 13 effort reductions, as well as collect additional information regarding the bycatch of regulated species in the herring fishery.

Comments and Responses

Thirteen letters were received regarding the proposed rule (March 29, 2005; 70 FR 15803) to implement FW 40B, including five letters from groups representing the fishing industry. Two letters were received that were not relevant to the proposed action, including one comment that was directed towards the recent closure of the Eastern U.S./Canada Area on April 1, 2005 (70 FR 16758). Since these comments were not directed at the proposed measures under FW 40B, NMFS has not responded to these comments.

DAS Transfer Program Modifications

Comment 1: Four commenters supported eliminating the tonnage criterion and reducing the conservation tax on DAS exchanged through the DAS Transfer Program. One industry group indicated that these revisions would improve the practical utility of the program. Another industry group supported this provision because it would also bring the DAS Transfer Program more in line with the DAS Leasing Program and would make this program more accessible to larger numbers of potential users.

Response: NMFS agrees that these modifications will facilitate and encourage the use of the DAS Transfer Program and implements these modifications through this final rule.

Comment 2: One industry group was concerned that the DAS Transfer Program has the potential to create distinct classes of vessel owners based on the allocation of DAS and the potential for vessels with excess capital to consolidate many DAS allocations onto one vessel. Because vessels that have consolidated DAS onto fewer vessels have a greater potential to continue fishing if future effort reductions are necessary, this group urged NMFS to evaluate the implications of the DAS Transfer Program for socio-economic affects.

Response: An evaluation of the economic and social impacts of the DAS Transfer Program was conducted during the development of Amendment 13. Sections 5.4 and 5.6 of the Final Supplemental Environmental Impact Statement (FSEIS) for Amendment 13 acknowledged that some vessels would be allocated more DAS under Amendment 13 than others. This analysis indicates that the DAS Leasing or Transfer Programs could help offset some of the impacts from the effort reductions. While some vessels have been allocated more DAS under Amendment 13 than others, access to sufficient capital to consolidate DAS allocations onto one vessel is independent of a vessel's DAS allocation. For example, a vessel with few NE multispecies DAS may have relied upon income generated from other fisheries instead of the NE multispecies fishery. A vessel's NE multispecies DAS allocation is not the only source of revenue for a particular vessel. Access to capital is dependent upon several factors, including the fixed costs of a business, assets of the vessel owner, and potential sources of revenue. Information specifying a vessel's fixed costs, the assets of the vessel owner, or sources of revenue outside of the NE

multispecies fishery are currently not available. As a result, the analysis conducted for Amendment 13 and FW 40B, based on the best scientific information available, was not able to fully assess an individual's access to capital. Further, this analysis indicates that the benefits of the DAS Transfer Program would likely outweigh the costs associated with this program. Finally, the information available indicates that the DAS Transfer Program is consistent with applicable law. The Council is considering modifications to the DAS Transfer and Leasing Programs as part of FW 42 to the FMP for possible implementation during the 2006 fishing year. An evaluation of the DAS Transfer and Leasing Programs to address the industry group's concerns about the effect of DAS consolidation may be undertaken during the development of FW 42 if sufficient information capable of documenting a vessel's ability to access capital is available.

Comment 3: One commenter believed that the 20-percent conservation tax on DAS exchanged through the DAS Transfer Program was still too high to encourage vessel participation.

Response: Since no vessels have elected to participate in the DAS Transfer Program to date, there is no precise method to accurately determine whether the conservation tax or the other requirements (i.e., the transferring vessel must forfeit all state and Federal fishing permits) of the DAS Transfer Program are impeding vessel participation in this program. Based on Council deliberation and telephone conversations with members of the fishing industry, NMFS believes that reducing the conservation tax to 20 percent may be sufficient to encourage at least some vessels to participate in the DAS Transfer Program. Revisions to the other requirements of the DAS Transfer Program to encourage participation in the program were considered, including allowing vessels receiving DAS to obtain other non-groundfish permits and allowing the removal of a proxy vessel instead of the transferring vessel. However, these other measures were rejected by the Council during the development of FW 40B.

DAS Leasing Program Modifications

Comment 4: Four commenters supported the proposed one-time opportunity to downgrade a vessel's baseline for the purposes of participating in the DAS Leasing Program. However, the State of Maine Department of Marine Resources (State of Maine) expressed concerns that the downgraded baseline would cause

confusion as to the baseline that applies when vessels are sold or replaced.

Response: NMFS supports measures that would facilitate participation in the DAS Leasing Program and implements this measure through this final rule. While the downgraded DAS Leasing Program baseline may be somewhat confusing at first, NMFS believes that this change is fairly straightforward and can be sufficiently explained in the Small Entity Compliance Guide permit holder letter it will mail to permit holder letters in conjunction with the publication of this final rule.

Changes to Incidental Total Allowable Catches (TAC's)

Comment 5: One commenter expressed general support for modifying the incidental catch TAC's for the purposes of allocating GOM cod and GOM haddock TAC to the Western Gulf of Maine (WGOM) Closure Area Rod/Reel Haddock SAP.

Response: NMFS has determined that the WGOM Closure Area Rod/Reel Haddock SAP as currently analyzed and recommended in FW 40B is inconsistent with National Standard 2 of the Magnuson-Stevens Act, as well as the objectives of the FMP. NMFS has therefore disapproved this provision and is not implementing it in this final rule. A full explanation of the reasons for the disapproval of the WGOM Rod/Reel Haddock SAP is contained in the preamble of this final rule under "Disapproved Measures."

Research Set-Aside TAC

Comment 6: One industry group opposed the measure to set aside 10 percent of the GB cod incidental catch TAC to facilitate research, despite recognizing the need to account for the mortality associated with research activities. This commenter acknowledged the deficiencies in the proposed measure highlighted by NMFS in the proposed rule (i.e., insufficient detail to implement this measure) and recommended disapproving this measure in FW 40B and remanding it to the Council to consider in a future action.

Response: NMFS concurs that the details necessary to implement this provision were not adequately described in the FW 40B document. The FW 40B document did not establish criteria to evaluate which research projects should be allocated research set-aside TAC for GB cod. As a result, it is not possible to assess whether this measure would pose equity concerns under National Standard 4. Because this proposed provision would not set aside research TAC for other species, it could also

undermine the conservation measures of the FMP. Therefore, NMFS has determined that this provision is not consistent with National Standards 1, 2, or 4, has disapproved this measure, and is not implementing this measure through this final rule. A full explanation of the reasons for the disapproval of the research set-aside TAC is contained in the preamble of this final rule under "Disapproved Measures." Noting the proposed measure's deficiencies, NMFS has provided recommendations to the Council to specify criteria to evaluate applications to utilize GB cod research set-aside TAC as well as a mechanism to allocate this TAC during future fishing years. Additionally, NMFS has recommended that the Council specify research TAC's for other groundfish stocks to fully account for the mortality associated with research activities. The Council could clarify the noted deficiencies in this provision and implement these revisions through a future management action.

Comment 7: One industry group and the State of Maine supported the research set-aside TAC for GB cod. However, the industry group suggested that there is limited information provided in the proposed measure to evaluate the equity of this measure. This group noted that this measure would take away TAC available to all vessels through the Regular B DAS Pilot Program and allocate it to a limited pool of vessels conducting research. Further, this group was concerned that the benefits of this allocation may not accrue to the entire fishery, as research would likely be directed at establishing SAP's benefitting specific participants instead of measures that would benefit the fishery as a whole.

Response: NMFS agrees that there is limited information available to adequately assess the impacts of this proposed measure and to determine consistency with the Magnuson-Stevens Act, including National Standards 1 and 4. As specified in the proposed rule, there are no criteria to evaluate which research projects should be allocated research set-aside TAC for GB cod under this proposed measure. For these reasons, as well as those specified in the preamble of this final rule under "Disapproved Measures," NMFS has disapproved this provision and is not implementing this measure in this final rule. NMFS supports research that would provide benefits to the entire fishery, but acknowledges that the Council's Research Steering Committee reviews research priorities for the NE multispecies fishery on a yearly basis.

WGOM Rod/Reel Haddock SAP

Comment 8: Six commenters expressed general support for the WGOM Rod/Reel Haddock SAP, with one industry group expressing strong support for this SAP. Four commenters believed that there are sufficient controls on participation and mortality to minimize any adverse impacts resulting from this SAP.

Response: NMFS has determined that the information available to support this SAP was not representative of the action proposed and is of limited use in evaluating the potential impacts of the proposed measures. In addition, while this SAP includes measures that would limit the mortality of non-target species, including establishing a cap on the amount of GOM cod that may be caught and incentives to encourage vessels to avoid catching GOM cod, this SAP, as recommended by the Council and analyzed in FW 40B, fails to adequately justify that the amount of bycatch of GOM cod would be minimized to the extent practicable. Therefore, this proposed measure is inconsistent with National Standard 9 and section 303(a)(11) of the Magnuson-Stevens Act. Furthermore, this proposed SAP is not consistent with the suggested minimum criteria for the development and approval of a SAP as specified in the Amendment 13 FSEIS because the limited information available to support this SAP is not based on an experimental fishery and does not indicate that vessels could effectively minimize bycatch of GOM cod. Therefore, NMFS has disapproved this provision because the proposed SAP is not consistent with National Standard 2, National Standard 9, and section 303(a)(11) of the Magnuson-Stevens Act as well as the objectives of the proposed SAP and the FMP. A full explanation of the reasons for the disapproval of the WGOM Rod/Reel Haddock SAP is contained in the preamble of this final rule under "Disapproved Measures."

Comment 9: Two commenters indicated that this SAP represents the only opportunity for vessels to use Category B DAS in the GOM and the only SAP allowing access to the WGOM Closure Area.

Response: NMFS disagrees that this SAP provides the only means of targeting healthy groundfish stocks in the GOM using a Category B DAS. While this proposed SAP would represent the only opportunity for limited access NE multispecies vessels to access a closed area to target groundfish in the GOM, the Regular B DAS Pilot Program implemented under FW 40A allows groundfish vessels to target healthy

groundfish stocks throughout the GOM using Category B DAS.

Comment 10: Two commenters stated that NMFS should only allow limited access NE multispecies vessels to access this SAP due to concerns over the potential impact of open access Handgear B vessels fishing in this area.

Response: As recommended by the Council and approved by NMFS, only limited access NE multispecies vessels are allowed access to this SAP.

Comment 11: Two industry groups indicated that the information available to support this SAP is not the best scientific information available and is not sufficient to accurately estimate cod catch resulting from this SAP. The State of Maine acknowledged the limited data available to support this SAP, but suggested, along with one industry group, that NMFS consider the positive results of an ongoing experimental fishery in the WGOM Closure Area that preliminary data indicate is capable of targeting haddock without catching cod.

Response: NMFS is aware of the experimental fishery currently being conducted in the WGOM Closure Area. However, to date, no final reports documenting the results of the early experimental activities have been submitted to NMFS. In addition, NMFS is required to evaluate proposed measures based on the best scientific information available. Information from the experimental fishery is not considered the best scientific information available because it is currently not available for review and was not integrated into the EA to analyze the biological, social, and economic impacts of the proposed SAP. Therefore, at this time, the best scientific information available to assess the impacts of the proposed fishing activity for the WGOM Closure Area Rod/Reel Haddock SAP is contained in the FW 40B document. NMFS cannot use preliminary data from an ongoing experimental fishery to evaluate the impacts of this proposed SAP.

Comment 12: One industry group believed that the requirement to use a vessel monitoring system (VMS) in the WGOM Closure Area Rod/Reel Haddock SAP is inconsistent with National Standard 7 because VMS requirements do not minimize costs and duplicate information submitted via vessel trip reports (VTR's). This commenter was concerned that the yearly operational costs associated with VMS usage exceed the value of the expected catch of haddock and suggested that the SAP be approved without the VMS requirement.

Response: NMFS believes that the use of VMS is critical to the successful monitoring and enforcement of the

provisions of recently approved SAP's. Without VMS, real-time monitoring of TAC's associated with SAP's, access to areas, and vessel activity for the purposes of enforcement would not be possible. Real-time monitoring of TAC's is not possible using VTR's alone due to the delay in obtaining and entering information from VTR's. VMS catch reports only require vessels to submit the amount of target species and specific stocks of concern anticipated to be caught in the SAP, unlike VTR's which require vessels to submit the amount of all species caught and discarded. Therefore, VMS catch reports do not duplicate the information submitted via VTR's, but augment this data to provide more real-time monitoring of SAP TAC's. Without such real-time monitoring, tracking catch rates of stocks of concern managed by small TAC's would not be possible, thereby increasing the likelihood of exceeding these TAC's and compromising the rebuilding objectives of the FMP. NMFS also disagrees that the costs associated with this SAP were not minimized. NMFS has certified two vendors to provide VMS services for the Northeast region. With the addition of this second vendor, a wider range of VMS units of varying costs are available to vessels, allowing vessels to choose the more economical vendor and unit. Furthermore, without adequate information to assess the expected catch of regulated species from operations proposed in this SAP, it is impossible to accurately predict expected revenues resulting from this SAP. Available information indicates that catch would primarily be composed of cod and haddock, though vessels would not be allowed to land cod. However, vessels would not be limited by a haddock possession limit. Therefore, it is possible that the catch of haddock alone could cover at least the operational costs of VMS.

Comment 13: One industry group suggested that NMFS change the regulations to allow Handgear A vessels to fish in the WGOM Closure Area Rod/Reel Haddock SAP between March 1 and March 20.

Response: As explained in the response to Comment 8, NMFS has disapproved the proposed WGOM Closure Area Rod/Reel Haddock SAP. Since NMFS has disapproved this SAP for the reasons specified in the "Disapproved Measures" section of the preamble of this final rule, no changes to this measure of the SAP were made.

Comment 14: One industry group indicated that it would not be fair and equitable under National Standard 4 if NMFS disapproved the WGOM Closure

Area Rod/Reel Haddock SAP because hook fishermen would not have access to inshore areas where haddock could be profitably targeted, resulting in an unfair allocation of the haddock catch among all fishermen.

Response: The National Standard Guidelines indicate that management measures may have different effects on persons of different geographic locations, provided they are reasonably calculated to promote conservation. The WGOM Closure Area was implemented by Framework 25 on March 31, 1998 (63 FR 15326) to reduce fishing mortality on GOM cod. GOM cod are still considered overfished and overfishing is still occurring. Therefore, there is still a need to maintain the WGOM Closure Area to limit mortality on GOM cod and continue rebuilding this stock. Accordingly, NMFS believes that the disapproval of the WGOM Closure Area Rod/Reel Haddock SAP through this final rule would not constitute an unfair or inequitable allocation of the haddock catch among fishery participants, as specified in National Standard 4, because it is reasonably calculated to promote conservation as required by the Magnuson-Stevens Act. Despite the disapproval of the WGOM Closure Area Rod/Reel Haddock SAP through this final rule, vessels are still able to target GOM haddock throughout the GOM to help achieve OY for this stock.

Comment 15: The Council commented that the expected economic returns from the WGOM Closure Area Rod/Reel Haddock SAP would help mitigate revenue reductions to hook vessels and would justify administrative costs associated with this SAP.

Response: In their comment, the Council used the expected revenue returns resulting from the GOM haddock TAC being fully harvested. However, the SAP is also regulated by an incidental catch TAC for GOM cod. As proposed, the SAP would be closed if either of these TAC's are harvested. Based on information used to support this SAP, it is highly unlikely that vessels would be able to fully harvest the available haddock TAC without first catching the incidental catch TAC for GOM cod. Therefore, the economic benefits of this SAP could likely be less than the \$140,000 used by the Council in support of this SAP. Due to limited data accurately depicting catch rates by commercial vessels operating within the SAP as proposed, it is difficult to accurately predict the expected economic revenues from this provision. The administrative costs associated with this SAP are not described in the FW 40B document. Therefore, based on the information available as provided in FW

40B, it is not possible to reliably estimate if the economic benefits of this SAP as recommended by the Council would justify the administrative costs associated with implementing this measure.

Comment 16: The Council noted that the proposed regulations regarding catch reports for this SAP were inconsistent with those specified in the FW 40B document.

Response: As explained in the response to Comment 8 and in the "Disapproved Measures" section of the preamble to this final rule, NMFS has disapproved the proposed WGOM Closure Area Rod/Reel Haddock SAP. Therefore, the proposed reporting requirements for this SAP are not revised by this final rule.

Comment 17: One industry group recommended that NMFS should approve the WGOM Closure Area Rod/Reel Haddock SAP and use data from this 2-year pilot program to evaluate the impacts of this SAP.

Response: For the reasons specified in the "Disapproved Measures" section of the preamble of this final rule, NMFS has determined that the information available to support this SAP indicates that this proposed measure is not consistent with the FMP, National Standard 9, and section 303(a)(11) of the Magnuson-Stevens Act. Therefore, it would be inappropriate to approve this SAP simply to provide more data on the efficacy of its proposed measures.

CA II Yellowtail Flounder SAP

Comment 18: Three commenters expressed general support for the proposed measures to revise the CA II Yellowtail Flounder SAP. One industry group supported the proposed mechanism to adjust the number of trips into the CA II Yellowtail Flounder SAP based on the available GB yellowtail flounder TAC. Another industry group indicated that this mechanism, in allowing the Regional Administrator to authorize zero trips into this SAP for a particular fishing year, would increase vessel safety, enable vessels to utilize more of the GB haddock TAC, and maximize the benefit from the GB yellowtail flounder TAC.

Response: NMFS agrees that revising the CA II Yellowtail Flounder SAP as proposed would offer a suite of benefits to the fishing industry. During the 2004 fishing year, the rapid harvest of the GB yellowtail flounder TAC from the CA II Yellowtail Flounder SAP and the Regular B DAS Pilot Program implemented by FW 40A prompted NMFS to close and later reopen the Eastern U.S./Canada Area under reduced GB yellowtail flounder

possession limits to ensure that the TAC remained available throughout the fishing year. However, these actions also limited the ability of vessels to harvest the available GB cod and GB haddock TAC from the Eastern U.S./Canada Area. The proposed measure to allow for the modification of the number of trips into the CA II Yellowtail Flounder SAP enables the Regional Administrator to adjust the number of trips more efficiently and effectively in response to changing stock conditions. In addition, this provision would help ensure that the GB yellowtail flounder TAC is not harvested prior to the end of the fishing year, thereby increasing the likelihood that the Eastern U.S./Canada Area will remain open as long as possible to allow vessels full opportunity to harvest the available GB cod and GB haddock TAC's and achieve OY from the fishery. Therefore, NMFS has approved this provision and is implementing it through this final rule.

Comment 19: The provision to reduce the GB yellowtail flounder trip limit from 30,000 lb (13,605 kg) to 10,000 lb (4,536 kg) per trip was opposed by one industry group. This group felt that this trip limit is insufficient to cover costs associated with trips into this SAP. Further, the State of Maine recommended that NMFS calculate the GB yellowtail flounder trip limits for vessels fishing under a Category A or B DAS based on projected effort using a Category A DAS effort and other uses of GB yellowtail flounder TAC.

Response: The reduction of the GB yellowtail flounder trip limit in FW 40B is intended to reduce the possibility that GB yellowtail flounder landings from the CA II Yellowtail Flounder SAP would result in the premature closure of the Eastern U.S./Canada Area that occurred during the 2004 fishing year. This reduction will also help ensure that the GB yellowtail flounder TAC is not exceeded in future fishing years. The analysis prepared for FW 40B indicates that, unless vessels are able to harvest greater amounts of species other than GB yellowtail flounder inside of the CA II Yellowtail Flounder SAP, or to redirect effort inside and outside of the SAP on the same trip, potential economic returns from a 10,000-lb (4,536-kg) GB yellowtail flounder trip limit may be insufficient to encourage participation in this SAP. Under the current regulations, vessels are able to fish inside the CA II Yellowtail Flounder SAP, in the Eastern U.S./Canada Haddock SAP Pilot Program, and in the Eastern U.S./Canada Area outside of these two SAP's on the same trip. Therefore, the current regulations enable vessels the flexibility to target

other species in other areas during trips into the CA II Yellowtail Flounder SAP. This flexibility in operations could, as indicated in the EA prepared for FW 40B, increase the potential revenue available to vessels fishing in this SAP and may be sufficient to at least cover costs associated with trips into this SAP. In addition, while this final rule changes the GB yellowtail flounder trip limit to 10,000 lb (4,536 kg), the Regional Administrator has the authority to adjust this trip limit to a maximum of 30,000 lb (13,608 kg) after considering several factors related to TAC availability and fishery performance similar to those recommended by the State of Maine. Outside of the CA II Yellowtail Flounder SAP, there is no specified trip limit for GB yellowtail flounder, however. Under the current regulations, the Regional Administrator is authorized to modify the trip limits throughout the U.S./Canada Management Area, including implementing a trip limit for vessels fishing outside of the CA II Yellowtail Flounder SAP, once 30 percent and/or 60 percent of the U.S./Canada Management Area TAC allocations for GB cod, GB haddock, or GB yellowtail flounder are projected to be harvested. Therefore, the Regional Administrator can establish a GB yellowtail flounder trip limit as recommended by the State of Maine, but only when at least 30 percent of the TAC for GB cod, GB haddock, or GB yellowtail flounder has been harvested.

Comment 20: The State of Maine expressed concern that the proposed 4,000-mt TAC for GB yellowtail flounder for the 2005 fishing year may be insufficient to maintain a yellowtail flounder fishery outside of the CA II Yellowtail Flounder SAP, resulting in the premature closure of the Eastern U.S./Canada Area during the 2005 fishing year. The State of Maine was also concerned that premature closure of this area could lead to underharvesting the U.S./Canada Management Area TAC's, leading to future reductions in TAC allocations for the Area based upon this underharvest.

Response: The information used to support the proposed TAC of 4,260 mt for GB yellowtail flounder for the 2005 fishing year indicates that the current fishing mortality on GB yellowtail flounder is still higher the appropriate level of fishing mortality required to rebuild the stock. NMFS concurs that the proposed GB yellowtail flounder TAC of 4,260 mt in the U.S./Canada Management Area may be insufficient to support both the CA II Yellowtail Flounder SAP and a yellowtail flounder

fishery outside of the SAP without likelihood of an early closure of the Eastern U.S./Canada Area. Therefore, NMFS has approved the proposed revisions to the measures regulating the CA II Yellowtail Flounder SAP and is implementing these revisions through this final rule. Further, based on the authority granted the Regional Administrator in this final rule and specified in the "Approved Measures" section of this final rule, it may be appropriate for the Regional Administrator to authorize zero trips into the CA II Yellowtail Flounder SAP for the 2005 fishing year, after consulting with the Council at its June meeting. A final notification of such a determination would be published in the **Federal Register**, consistent with the Administrative Procedure Act. This determination would help to ensure that the entire GB yellowtail flounder TAC would be available for vessels fishing outside of the CA II Yellowtail Flounder SAP, increasing the likelihood that the TAC would not be harvested during the 2005 fishing year and reducing the chance that the Eastern U.S./Canada Area would be prematurely closed.

Minimum Effective Effort Allocation

Comment 21: Four commenters, including Senator Collins, the State of Maine, the Council, and one industry group supported allocating 10 Category B Reserve DAS to vessels allocated zero Category A and B DAS under Amendment 13. Addressing the equity concerns expressed by NMFS in the proposed rule for FW 40B, Senator Collins indicated that it is unfair that vessels were not allocated DAS under Amendment 13. Both Senator Collins and the Council noted that Category A DAS are more valuable and allow more opportunities to fish than only Category B Reserve DAS. The Council suggested that vessels issued any Category A DAS under Amendment 13 have more opportunities to fish for groundfish or benefit from their limited DAS allocation through leasing DAS than those who did not receive any DAS under Amendment 13. The Council further contended that Amendment 13 anticipated different allocations among individual vessels.

Response: Amendment 13 did anticipate that DAS allocations would be different among vessels based upon the qualification criteria implemented. These criteria were implemented to eliminate latent effort and ensure that vessels recently active in the fishery would be able to continue to participate in the fishery. All vessels issued a limited access NE multispecies permit were subject to the same qualification

criteria under Amendment 13. However, the proposed measure would allocate 10 Category B Reserve DAS only to the 448 vessels that did not receive any Category A or B (Regular or Reserve) DAS under Amendment 13. These vessels did not qualify for DAS under Amendment 13 because they have not recently participated in the fishery and therefore failed to meet the qualification criteria approved by the Council and implemented under Amendment 13. Under Amendment 13, only vessels that were recently active in the fishery received a DAS allocation. Nineteen vessels were allocated fewer than 10 Category A and B (Regular and Reserve) DAS in total under Amendment 13. Although these vessels have recently participated in the fishery and therefore met the qualification criteria for continued participation in the fishery under Amendment 13, under the proposed measure they would receive fewer DAS than those who have not been recently active in the fishery and did not qualify for DAS under Amendment 13. As a result, these 19 vessels would potentially bear more of the burden for the effort reductions under Amendment 13 than vessels receiving additional DAS under this proposed measure, without any conservation justification. NMFS acknowledges that vessels allocated at least some Category A DAS have the flexibility to fish these DAS and could lease these DAS to another vessel, thereby gaining at least some benefit from these DAS. However, vessels that were not allocated any DAS under Amendment 13 could still participate in the fishery by leasing DAS from another vessel. Since this measure would not ensure that all vessels are allocated the same minimum level of DAS, NMFS interprets this measure to be inconsistent with National Standard 4 of the Magnuson-Stevens Act because it allocates DAS to a particular group of vessels without providing any conservation justification. Therefore, for these reasons and the reasons presented in the "Disapproved Measures" section of the preamble of this final rule, NMFS has disapproved this measure and is not implementing this measure in this final rule.

Comment 22: The Council indicated that some Council members believed the proposed measure to allocate 10 Category B Reserve DAS to vessels allocated zero DAS under Amendment 13 was an implicit promise when Amendment 13 was voted on.

Response: Notwithstanding the Council's intent to address the minimum effective effort issue in a future management action, the measure

proposed in FW 40B to allocate a minimum amount of DAS to vessels allocated zero DAS under Amendment 13 is not fair and equitable to all limited access NE multispecies permit holders as described in the "Disapproved Measures" section of this final rule. For this reason and the reasons described in the "Disapproved Measures" section of this final rule, NMFS has disapproved this measure.

Comment 23: One industry group supported allocating 10 Category B Reserve DAS to vessels allocated zero Category A and B DAS under Amendment 13, but suggested that NMFS expand this measure to ensure that all vessels are allocated a minimum of 10 B Reserve DAS. This group indicated that the proposed measure would not be fair and equitable to vessels allocated fewer than 10 DAS total under Amendment 13, stating that these vessels would be disadvantaged by the proposed measure.

Response: NMFS agrees that this measure, as proposed, is not fair and equitable to all vessels participating in the NE multispecies fishery. The potential solution proposed by the industry group to ensure that all vessels are allocated a minimum amount of DAS might be fair and equitable to all vessels under the Magnuson-Stevens Act. However, since NMFS does not have the authority to add substantial measures to the provisions recommended by the Council, NMFS had disapproved this proposed measure for the reasons specified in the "Disapproved Measures" section of the preamble of this final rule.

GB Cod Hook Sector Revisions

Comment 24: One industry group supported revisions to the GB Cod Hook Sector provisions that would allow all vessels, regardless of fishing history, to join the GB Cod Hook Sector and apply their landings of GB cod, regardless of gear used, towards the GB Cod Hook Sector's GB cod TAC. This group indicated that these revisions properly address fairness and equity issues and are consistent with the Council intent when approving the GB Cod Hook Sector.

Response: NMFS has approved the new GB Cod Hook Sector provisions.

Comment 25: The State of Maine expressed concern that the GB Cod Hook Sector TAC allocation could result in other groups seeking similar TAC allocations resulting in the entire GB cod TAC being allocated to such groups. The State of Maine recommended that the proposed revisions should not be considered a precedent for future allocations.

Response: The current regulations allow any person to submit a Sector allocation proposal. These regulations limit any Sector's allocation to 20 percent of a stock's TAC. If additional Sectors are approved, these Sectors could, taken together, be allocated the majority of a stock's TAC. However, it is highly unlikely that several Sectors could be allocated the entire TAC for a particular stock because a Sector's TAC allocation is based upon the fishing history of all NE multispecies vessels that have landed that particular stock. Therefore, unless approved Sectors incorporate every individual vessel that landed a particular stock during the 5-year period prior to submission of the Sectors' allocation proposals, these Sectors would not be able to capture the entire TAC for a particular stock. The general requirements applicable to all Sector allocations adopted by Amendment 13 specify that members of the Sector bring all of their catch history into the Sector, regardless of how it was caught. Therefore, while the original requirements specifying the allocation for the GB Cod Hook Sector were based on the landings by hook gear, the proposed measure revises these regulations consistent with the intent of Amendment 13. Therefore, no mandatory precedent is set by this revision as any future Sector would be able to bring all of its catch history into the Sector, regardless of how it was caught. Based on the above rationale, NMFS has approved this measure.

Comment 26: Responding to a statement in the proposed rule that a higher Sector GB cod TAC would result in a small increase in the probability that the GB cod target TAC would be exceeded, one industry group suggested that increased participation in the GB Cod Hook Sector would actually decrease the chance that the non-Sector portion of the GB cod TAC would be exceeded. The group reasoned that a larger GB Cod Hook Sector TAC would correspond to more vessels in the GB Cod Hook Sector and fewer non-Sector vessels available to catch the GB cod target TAC. Based on the performance of the Sector during the 2004 fishing year, in which only 50 percent of the GB Cod Hook Sector's GB cod allocation was harvested (although the GB Cod Hook Sector was unable to start fishing until July 21, 2004 (69 FR 43535), a higher Sector GB cod TAC in the future would increase the likelihood that GB Cod Hook Sector vessels would not be able to harvest their full GB cod TAC allocation.

Response: NMFS maintains that an increased Sector TAC on GB cod could potentially increase the chance that the

GB cod target TAC could be exceeded by non-Sector vessels. However, this contention assumes that the GB Cod Hook Sector is capable of catching its entire allocation of GB cod. If the GB Cod Hook Sector is unable to catch its entire allocation, there is less of a chance that the GB cod target TAC would be exceeded.

DAS Credit for Standing by Entangled Whales

Comment 27: Three commenters expressed general support for DAS credit for vessels standing by an entangled whale.

Response: This provision would provide incentives through a DAS credit for vessels to report entangled whales and track the locations of such whales so that rescue teams could attempt to disentangle the animal. NMFS has approved this provision and is implementing it through this final rule.

Herring Vessel Interactions With Regulated Groundfish

Comment 28: Three commenters expressed general support for measures requiring Category 1 herring vessels to notify the NMFS Observer Program and the NMFS Office of Law Enforcement when fishing in the GOM or GB Regulated Mesh Area (RMA). One industry group supported increased observer coverage for herring vessels and requested that NMFS provide the Council with annual reports on the amount of regulated species caught and discarded by the herring fishery.

Response: Several herring vessel offloading operations were observed by NMFS Office of Law Enforcement during the 2004 fishing year, indicating some level of groundfish bycatch by herring vessels. This proposed measure would facilitate the observation of herring vessel offloading operations by providing the date, time, and port of landing by these vessels. Increased observation of herring catches would increase the amount of information available to assess the amount of regulated species bycatch in the herring fishery. For these reasons, NMFS has approved this measure and is implementing it through this final rule. Information obtained through this measure will be made available to the Council.

Comment 29: One individual and one industry group suggested that Observer Program notification measures for Category 1 herring vessels should be implemented on an interim basis.

Response: As explained in the response to Comment 27, NMFS has approved this measure because it facilitates acquiring additional

information necessary to assess the amount of regulated species caught and discarded in the herring fishery. The Council, in developing this measure, did not specify a sunset date for this provision. It is anticipated that further action to address groundfish bycatch in the herring fishery on a more permanent basis is necessary. A future action could modify or eliminate the requirements implemented by this final rule.

Comment 30: One individual indicated that purse seine vessels do not catch regulated species and suggested that the proposed notification requirements should not apply to purse seine vessels.

Response: During the development of FW 40B, the Council considered specifying different measures for the different gear types in the herring fishery. However, the information available was insufficient to support such differential regulations in this action. Accordingly, NMFS has approved the Council's recommendation to collect bycatch information from the entire herring fishery to more accurately understand the problem so that future management actions could effectively address this issue.

Comment 31: One individual and one industry group indicated that the 72-hour Observer Program notice requirement for Category 1 herring vessels is inconsistent with the sporadic operations of the herring fishery and suggested that NMFS find alternative means of accomplishing the intent of this measure.

Response: The 72-hour Observer Program notice is necessary to effectively identify the herring vessels that intend to fish in the GOM or GB RMA's to ensure that sufficient observers are placed on these vessels and that the fishery is adequately monitored to achieve the objectives of the Observer Program. Currently, the NMFS Observer Program needs a minimum of 72 hours to determine whether an observer is required for a particular trip and to coordinate the deployment of an observer, if necessary. NMFS recognizes that this requirement may not coincide with the normal fishing operations of the herring fishery and will encourage the herring fishing industry to work with the NMFS Observer Program to comply with the requirements implemented by this final rule without compromising vessel operations.

Comment 32: One industry group indicated that some Category 1 herring vessels fish shoreward of the VMS demarcation line and suggested that

NMFS clarify the reporting requirements for these vessels.

Response: Based upon the information provided by this industry group, NMFS has clarified the regulations at § 648.80(d)(7) and (e)(6) to allow vessels fishing landward of the VMS demarcation line to notify NMFS Office of Law Enforcement of the time and place of offloading at least 12 hours before landing.

Comment 33: The Council commented that while the proposed regulations for the Category 1 herring vessel notification requirements are consistent with the draft proposed rule submitted by the Council, the proposed regulations are not consistent with the FW 40B document because the proposed rule specified that the Observer Program and NMFS notification requirements for herring vessels apply to the GOM/GB Exemption Area. The Council suggested NMFS revise these regulations to refer to the GOM/GB RMA's as specified in the FW 40B document.

Response: The current regulations specify that herring vessels are only exempt from the minimum mesh size requirements of the GOM or GB RMA's when fishing in the GOM/GB Exemption Area specified at § 648.80(a)(17), which is a slightly smaller area than the GOM or GB RMA. Accordingly, in order to use small mesh necessary to pursue the herring fishery in the GOM or GB RMA's, herring vessels are required fish in the GOM/GB Exemption Area. While FW 40B does specify that the proposed notification requirements would apply to herring vessels intending to fish in the GOM or GB RMA's, it would be inconsistent with the current regulations governing the fishery and confusing to the industry to include this provision because it adds a requirement to fish in an area where herring vessels are not permitted to fish. Therefore, NMFS declines to revise the regulations as suggested by the Council. Because herring vessels could not fish outside the GOM/GB Exemption Area anyway, retaining the language of the proposed rule will not meaningfully affect herring vessel activities subject to these regulations.

Trip Gillnet Net Limitations

Comment 34: Four commenters, including Senator Collins, the State of Maine, and two industry groups, expressed support for removing the net limit for Trip gillnet vessels. The State of Maine and one industry group indicated that the net limit is unnecessary and the gillnet tag requirements used to enforce this net

limit pose operational difficulties to vessels.

Response: NMFS concurs that the net limit for Trip gillnet vessels is unnecessary because Trip gillnet vessels are required to remove all gear from the water prior to returning to port. Unlike Day gillnet vessels, gear fished by Trip gillnet vessels is not left in the water upon returning to port. Trip gillnet vessels must remove gillnet gear from the water before returning to port, thereby greatly dissipating the advantage of fishing unlimited amounts of gillnets. The capacity of the vessel to carry additional gillnets often limits the number of nets that are fished by a vessel. In addition, the analysis prepared for this action indicates that, while the number of nets used by vessels may increase by removing the net limit for Trip gillnet vessels, the expected increase in mortality will be minor. For these reasons, NMFS approved the removal of the net limits and the associated gillnet tagging requirements for Trip gillnet vessels.

Dumping Prohibition for Vessels Under a Category B DAS

Comment 35: Two industry groups expressed support for the principle behind prohibiting discard in management programs allowing the use of Category B DAS. One group strongly supported the proposed dumping prohibition for vessels fishing under a Category B DAS, indicating that prohibiting discards is fundamental to the ability of these programs to achieve their stated objectives. The other group cautioned that this dumping prohibition seems to apply only to trawl gear and could increase mortality of bycatch.

Response: NMFS agrees that prohibiting the discarding of legal-sized regulated species in programs that allow the use of Category B DAS is critical to accurately monitoring catch of regulated species and accounting for additional mortality resulting from the use of Category B DAS. According to the regulations at 50 CFR 600.10, "discarding" means to return fish to the sea, whether or not such fish are brought fully on board a fishing vessel. This prohibition on removing any fish caught before the gear is brought on board the vessel clarifies that this practice constitutes discarding and is therefore prohibited. Because vessels may use longline gear (*i.e.*, gear other than nets) to fish in the Regular B DAS Pilot Program, NMFS has revised the proposed prohibition to further clarify that removing any fish caught using any gear, including the dumping of nets before the gear is brought on board the vessel, is prohibited. In addition,

prohibiting the removal of fish caught before the gear is brought on board the vessel is necessary to ensure an accurate accounting of the amount of fish caught in these programs. While releasing the fish in the water may increase their chance of survival, there is no way to accurately determine the amount of fish that was released unless the gear is hauled aboard. Without accurate accounting of discards, the effectiveness of catch monitoring in these programs is undermined.

General Comments

Comment 36: One commenter supported a general provision to prohibit the discard of legal-sized regulated species of concern when fishing on a Category B (regular or reserve) DAS (*i.e.*, when fishing in the Regular B DAS Pilot Program or any approved SAP).

Response: The regulations currently prohibit the discard of legal-sized regulated groundfish in the Regular B DAS Pilot Program and cod in the CA II Yellowtail Flounder SAP and the Eastern U.S./Canada Haddock SAP Pilot Program. Expansion of this prohibition would have to be addressed through a future Council action.

Comment 37: One commenter supported monitoring catches of stocks of concern through VTR, VMS, and by dealer reporting.

Response: Currently, regulations require the reporting of all species through VTR and dealer reporting. Regulations specific to approved SAP's and the U.S./Canada Management Area require vessels to declare through the VMS the amount of species kept and discarded based on which stocks are expected to be caught in a particular SAP and which stocks are managed under hard TAC's, respectively. NMFS and the Council are currently investigating the feasibility of pursuing the commenter's suggestion of expanding the VMS reporting requirements for approved SAP's and the U.S./Canada Management Area to collect information on additional species caught under a Category B (regular or reserve) DAS for possible implementation in a future Council action.

Comment 38: Responding to a request for comments by NMFS in the proposed rule, two commenters, including one industry group, opposed publishing the DAS allocations of NE multispecies vessels on the Northeast Regional Office website. Both commenters felt that posting DAS allocations online should be voluntary. One individual felt that posting DAS allocations online would be an invasion of privacy.

Response: NMFS will take these comments into consideration when determining whether to publish this information online.

Disapproved Measures

GB Cod Research Set-Aside TAC

FW 40B proposed to set aside up to 10 percent of the GB cod incidental catch TAC to facilitate research. As proposed, this TAC would be distributed to research proposals submitted to NMFS by May 1 of every year. However, the FW 40B document does not specify criteria for determining which proposals should be allocated this set-aside research TAC. Further, the document does not describe a mechanism by which this TAC should be distributed to researchers. NMFS supports setting aside TAC to facilitate fisheries research. Such research set-aside TAC's in the NE multispecies fishery would account for mortality associated with this research, while supporting vessel participation in this research without the use of DAS. However, FW 40B proposes to set aside research TAC for only one species. Given the nature of the NE multispecies fishery, this provision would only account for the mortality of GB cod during research activities. The mortality of other species in the conduct of research set-aside projects would not be accounted for, potentially undermining the conservation measures of the FMP. Further, without sufficient detail about how to administer this provision, including the process and mechanism by which proposals to use the GB incidental cod TAC research set-aside would be considered and TAC distributed, there is insufficient information to implement this provision. Without such details, there is no way to assess the likely costs and benefits of this provision. Further, as highlighted in the response to Comments 6 and 7, there is insufficient information to determine whether this provision would be equitable. The proposed measure would potentially take away a portion of the GB cod TAC available to all vessels through the Regular B DAS Pilot Program, resulting in a possible disproportionate impact on the fleet. Accordingly, there is insufficient information to make a determination that this provision is consistent with applicable law. Thus, NMFS has determined that this provision is not consistent with National Standards 1, 2, or 4 and has disapproved this provision.

WGOM Closure Area Rod/Reel SAP

Amendment 13 established a process to provide vessels the opportunity to target healthy groundfish stocks without undermining efforts to rebuild overfished stocks. According to Section 3.4.5.1 of the FSEIS prepared for Amendment 13, a SAP should avoid or minimize impacts on stocks of concern, as well as minimize bycatch. In addition, for a SAP to be approved, sufficient information should be available to indicate that the SAP would minimize bycatch of non-target species and minimize the mortality of such bycatch. If such information is not available, an experimental fishery should be conducted before a SAP could be approved.

The WGOM Closure Area Rod/Reel Haddock SAP proposes to allow rod/reel vessels to target GOM haddock in the WGOM Closure Area while minimizing the bycatch of GOM cod (GOM cod is considered a stock of concern because it is currently overfished). No experimental fishery was conducted that would support the proposed SAP. Instead, the analysis in the EA relied upon VTR's from party/charter vessels in the WGOM Closure Area. This information is not indicative of the proposed vessel operations for this SAP as party/charter vessels target cod instead of haddock and the possession limits for these trips were based on the party/charter regulations and are substantially different from commercial possession limits. Despite these limitations, this information indicated that more cod was caught than haddock when fishing in the WGOM Closure Area. VTR's for commercial handline trips within the GOM, but outside of the WGOM Closure Area were also examined, but they too indicated that more cod would be caught than haddock. The proposed SAP included a provision where the Regional Administrator could close this SAP if the catch of cod to haddock exceeds a ratio of 1:2, by weight. The data in the EA suggests that the amount of cod and haddock caught under this proposed SAP would likely exceed a ratio of 1:2.

While NMFS supports the creation of SAP's within the GOM to allow vessels to target healthy groundfish stocks and mitigate some of the economic and social impacts resulting from Amendment 13 effort reductions, NMFS must ensure that the provisions of the FMP are consistent with the Magnuson-Stevens Act and appropriate law. Based on the best available information, vessel operations under this SAP would be inconsistent with the purpose and

intent of this SAP. The information available indicates that vessel operations would likely exceed the required ratio of cod to haddock, requiring the Regional Administrator to close access to this SAP. In addition, the fact that no experiment was conducted to document whether non-target species could be avoided in this SAP and that the information available to support this SAP indicates that this SAP would likely catch more cod (a stock of concern) than haddock demonstrate that this SAP is not consistent with the intent and principles behind the establishment of SAP's as described in section 3.4.5.1 of the FSEIS for Amendment 13. Further, this SAP is not consistent with Objective 10 of the FMP, as specified in Amendment 13, in that this SAP would not minimize regulatory discards. Instead, this SAP would facilitate regulatory discards by prohibiting vessels from retaining any GOM cod caught while fishing in this SAP. Furthermore, while this proposed SAP includes measures that would minimize the mortality of non-target species and encourage vessels to avoid catching cod, the analysis of this SAP in FW 40B fails to sufficiently justify that the amount of bycatch of GOM cod would be minimized to the extent practicable, and, therefore, the measure is inconsistent with National Standard 9 and section 303(a)(11) of the Magnuson-Stevens Act. Therefore, based on the above, NMFS has disapproved this measure and is implementing it through this final rule.

Minimum Effective Effort Allocation

FW 40B proposes to re-categorize 10 Category C DAS to Category B Reserve DAS for any vessel allocated zero Category A or B (Regular and Reserve) DAS under Amendment 13. These DAS could only be used in a SAP that does not contain a DAS flipping requirement. Currently, the only SAP that does not have a DAS flipping requirement is the CA I Hook Gear Haddock SAP, which is currently limited to members of the GB Cod Hook Sector as discussed below, because the WGOM Closure Area Rod/Reel Haddock SAP was disapproved in this final rule. This proposed action would grant approximately 448 vessels a DAS allocation of 10 Category B Reserve DAS. However, based on DAS allocation data from February 9, 2005, 277 vessels were allocated fewer than 10 Category B Reserve DAS under Amendment 13. Of these vessels, fully 121 vessels were allocated fewer than 10 Category B (Regular and Reserve) combined. Furthermore, there are 19 vessels that qualified for Category A and B (Regular and Reserve) DAS, but were

allocated fewer than 10 Category A and B (Regular and Reserve) DAS combined under Amendment 13. These vessels would receive fewer Category A and B (Regular and Reserve) DAS than the 448 vessels that did not qualify for any Category A or B (Regular and Reserve) DAS under Amendment 13. As a result, an inequitable situation would be created in this fishery, because vessels that actually have a recent history in the fishery and initially qualified for some Category A or B (Regular or Reserve) DAS, could have less of an opportunity to fish than vessels that do not have a recent history in the fishery. Further, FW 40B did not provide any justification for this disproportionate allocation of DAS based on conservation purposes. The National Standard Guidelines indicate that any allocation shall be reasonably calculated to promote conservation. While the information used to support this measure indicates that the proposed measure would control the catch of target and non-target species through the measures of approved SAP's and would therefore not increase impacts on groundfish, the FW 40B document does not provide any information how this measure promotes conservation within the fishery. In fact, this measure may lead to the TAC's for species regulated by the SAP's to be caught more quickly, thereby limiting opportunities to fish in this area by vessels currently qualifying for Category A and B (Regular and Reserve) DAS. Furthermore, this additional allocation of DAS may have other unanalyzed negative consequences due to the potential of this measure to increase effective effort in the fishery. Based on this disparity being created without promoting conservation and the absence of an adequate analysis of the effects of this measure, NMFS has determined that this measure is not consistent with National Standard 4.

The 448 vessels that would benefit under this proposed measure (*i.e.*, vessels that were allocated zero Category A or B DAS under Amendment 13) would be allocated 4,480 Category B DAS to use in specific SAP's. However, it is estimated that only 50 percent of these vessels would actually use these DAS to participate in an approved SAP based on fishing activity during the 2003 fishing year in which these vessels were allocated a minimum of 10 DAS (reduced to 8 DAS) under the August 1, 2002, interim final rule (67 FR 50292). During this time, only 26 vessels relied on groundfish for a majority of fishing revenue, indicating that most of these vessels were heavily engaged in

fisheries other than groundfish. Opportunities to use DAS allocated under the proposed measure in FW 40B would be limited to the CA I Hook Gear Haddock SAP during the 2005 fishing year because this is the only currently approved SAP that does not contain a DAS flipping provision. However, participation in this SAP is limited to vessels participating in the GB Cod Hook Sector, unless modified by FW 41. FW 41, which has recently been submitted to NMFS, proposes to allow non-Sector vessels to fish in the CA I Hook Gear Haddock SAP. Because none of the 448 vessels that would benefit from this measure are members of the GB Cod Hook Sector, unless FW 41 is approved, these 448 vessels would not be able to use these 10 Category B Reserve DAS at all during the 2005 fishing year. If approved, however, FW 41 would limit non-Sector participation in this SAP to November 16, 2005 through December 31, 2005. Therefore, any benefits from this proposed measure would be minimal during the 2005 fishing year.

Finally, NMFS believes that the FW 40B document fails to adequately justify the purpose of this measure other than for economic reasons, since neither conservation nor social benefits were cited to support this measure. The economic analysis concludes that, while this proposed measure would be positive for vessels receiving DAS, this measure would also result in possible negative economic impacts to vessels that would not receive DAS under this measure. Further, the economic benefits of SAP's would be dissipated among more vessels, resulting in decreased economic returns to individual vessels. Moreover, this proposed measure represents a potential transfer of income opportunities from vessels with a recent history in the fishery to vessels without a recent history in the fishery. Based on the above, NMFS has concluded that the sole purpose for this measure appears to be an allocation for economic purposes only that would benefit vessels that do not have a recent history in the NE multispecies fishery. For this reason, this measure is not consistent with National Standard 5. Therefore, NMFS has disapproved this measure and is not implementing it in this final rule.

Approved Measures

NMFS has approved the remainder of the measures proposed in FW 40B. A description of the approved measures follows.

1. DAS Transfer Program Modifications

The DAS Transfer Program allows for the permanent exchange of DAS

between vessels with limited access NE multispecies permits for the purpose of reducing fishing capacity and mitigating some of the adverse economic impacts of effort reductions under Amendment 13. FW 40B modifies the current DAS Transfer Program to provide additional incentive for vessels to participate in this Program. Under FW 40B, Category A and B DAS that are permanently exchanged through the DAS Transfer Program are reduced by 20 percent. As implemented under Amendment 13, Category C DAS will continue to be reduced by 90 percent.

Under the DAS Transfer Program, the baseline characteristics of the vessel receiving DAS must be within 10 percent of the baseline length overall and within 20 percent of the baseline horsepower of the transferring vessel. This action makes the size restrictions for the DAS Transfer Program consistent with the DAS Leasing Program, which requires vessels to meet size restrictions for only length overall and horsepower.

2. DAS Leasing Program Modifications

The DAS Leasing Program allows vessels to temporarily exchange DAS on a yearly basis. Vessels involved in leasing DAS under the DAS Leasing Program must have permit baseline characteristics for length and horsepower that fall within the current size restrictions of the DAS Leasing Program. The vessel baseline characteristics used for the DAS Leasing Program are the vessel baseline characteristics on file with NMFS as of January 29, 2004, the date of publication of the proposed rule for Amendment 13 (January 29, 2004; 69 FR 4362).

Under FW 40B, vessels participating in this program have a one-time opportunity to downgrade the permit baseline characteristics for the DAS Leasing Program to the physical characteristics of the vessel currently using the permit. This one-time downgrade only applies to the DAS Leasing Program permit baseline and does not affect any other permit baselines currently specified for the permit (*i.e.*, the baseline used for vessel upgrades or replacements). In effect, if a permit holder were to exercise this option, the permit would have two NE multispecies permit baselines: One for the DAS Leasing Program and another that applies to all other permit transactions (vessel upgrades or replacements or the DAS Transfer Program). If the permit is moved to another vessel during a vessel replacement, the downgraded DAS Leasing Program baseline reverts to the original DAS Leasing Program baseline established on January 29, 2004, and

could not be downgraded again for the purposes of the DAS Leasing Program. This downgraded DAS Leasing Program baseline remains valid until the permit is placed on a replacement vessel as specified above, or until the DAS Leasing Program expires.

3. CA II Yellowtail Flounder SAP Modifications

FW 40B modifies the start date of the CA II Yellowtail Flounder SAP to enable vessels to target GB yellowtail flounder in CA II outside of the spawning period of GB yellowtail flounder. Thus, the season for the CA II Yellowtail Flounder SAP is revised to July 1 through December 31. In addition, FW 40B revises the limit on trips into this SAP by specifying that vessels participating in this SAP are limited to only one trip per month. Also, the possession limit for GB yellowtail flounder is reduced to 10,000 lb (4,536 kg), unless adjusted by the Regional Administrator.

This SAP is regulated by the maximum number of trips allowed into the SAP and by the availability of the GB yellowtail flounder TAC allocated to the U.S./Canada Management Area. FW 40B provides the Regional Administrator with the authority to adjust the trip limit and the total number of trips allowed into this SAP every fishing year to adapt to changing stock and fishery conditions. Under FW 40B, the Regional Administrator will consider specific criteria and may use a formula based on the available TAC and recent catch rates of GB yellowtail flounder to determine the number of trips into this SAP and the appropriate trip limit for a particular fishing year. The formula suggested to determine the number of trips into this SAP was specified in the FW 40B proposed rule. If the Regional Administrator determines that the available catch is not sufficient to support 150 trips per year with a GB yellowtail flounder trip limit of 15,000 lb (6,803 kg), the Regional Administrator may choose not to authorize any trips into this SAP for the fishing year. One hundred fifty trips at 15,000 lb (6,803 kg) per trip amounts to 1,020 mt of GB yellowtail flounder necessary to support the CA II Yellowtail Flounder SAP. Based on the proposed TAC of GB yellowtail flounder for the 2005 fishing year (4,260 mt) and using the formula specified in FW 40B, only 260 mt of GB yellowtail flounder would be estimated to be available to allow for the CA II Yellowtail Flounder SAP. Therefore, because the available GB yellowtail flounder TAC is less than the 1,020 mt that may be necessary to allow for this SAP, the Regional Administrator will consult with the

Council at its June meeting to determine whether to set the number of trips into the CA II Yellowtail Flounder SAP at zero for the 2005 fishing year.

4. GB Cod Hook Sector Revisions

Amendment 13 established the GB Cod Hook Sector and allocated GB cod to the Sector based on the history of the Sector participants. FW 40B modifies the regulations implementing the GB cod Hook Sector by allowing any vessel, regardless of gear used in previous fishing years, to join the Sector. All landings of GB cod by Sector participants, regardless of gear previously used, will be used to determine the Sector's GB cod allocation for a particular fishing year. All Sector participants are required to use hook gear once in the Sector. The maximum share of the GB cod TAC that the Sector could obtain remains capped at 20 percent of the overall GB cod TAC.

5. DAS Credit for Standing by Entangled Whales

In order to encourage fishing vessels to report entangled whales, FW 40B provides a mechanism for a limited access groundfish vessel to obtain DAS credit for the time spent standing by an entangled whale. A vessel requesting such a credit must notify the USCG and the appropriate organization of the entangled whale (currently, the Center for Coastal Studies); remain in contact with the Center for Coastal Studies; and be available to answer questions on the condition of the animal, including, but not limited to, possible species identification, severity of entanglement, and gear entangling the animal. To receive credit for time standing by an entangled whale, a vessel must submit a written request to the Regional Administrator.

6. Herring Vessel Interactions With Regulated Groundfish

To more accurately document and monitor groundfish bycatch from the herring fishery, FW 40B requires vessels with a Category I herring permit that intend to fish in the GOM or GB RMA's to notify the NMFS Observer Program at least 72 hours before beginning a trip. In addition, if an observer is not provided for the trip, the vessel must notify NMFS Office of Law Enforcement via VMS of the time and place of landing at least 12 hours prior to crossing the VMS demarcation line on returning to port, or 12 hours before landing if the vessel fishes landward of the VMS demarcation line for the entire trip. This requirement to notify NMFS Office of Law Enforcement at least 12 hours prior to crossing the VMS demarcation line or

landing was determined to be necessary to allow sufficient time for NMFS Office of Law Enforcement personnel to coordinate efforts to observe herring vessel landings and to accommodate Category 1 herring vessels fishing inshore of the VMS demarcation line.

7. Trip Gillnet Net Limitations

FW 40B removes the limit on the number of nets that can be carried onboard Trip gillnet vessels. By doing so, FW 40B also eliminates the gillnet tagging requirements for Trip gillnet vessels.

8. Dumping Prohibition for Vessels Under a Category B DAS

To minimize the mortality on stocks of concern from vessel activities in programs designed to target healthy groundfish stocks, (*i.e.*, the Eastern U.S./Canada Haddock SAP Pilot Program, the Regular B DAS Pilot Program, and the CA II Yellowtail Flounder SAP), FW 40A implemented measures that prohibit vessels from discarding legal-sized cod and other regulated groundfish when fishing under a Category B DAS. These measures also require vessels to initiate a DAS flip (*i.e.*, change the category of DAS used on that trip to Category A DAS) if vessels harvest more legal-sized cod or other regulated groundfish than the applicable maximum landing limits per trip under a Category B DAS. FW 40B clarifies that the prohibition on discarding of fish also includes the removal of any fish caught using any gear, including the dumping of nets, before the gear is brought on board when operating under a Category B DAS in the CA II Yellowtail Flounder SAP, the Eastern U.S./Canada Haddock SAP Pilot Program, or the Regular B DAS Pilot Program because it is considered to be discarding as defined at 50 CFR 600.10.

9. Corrections

In addition to the approved measures described here, the following revisions to existing regulations are made to correct inaccurate references in the regulations. The changes listed below are in the order in which they currently appear in the regulations.

In 15 CFR 902.1(b), the inventory of OMB control numbers for NOAA actions is updated to include approved control numbers and the corresponding regulatory citations for the information collections related to the measures approved in Amendment 13 and FW 40A to the FMP. This inventory was inadvertently not updated in the final rule and interim final rule

implementing these actions, respectively.

In 50 CFR 648.10, the periods ending paragraphs (b)(1)(vi) and (b)(1)(vii) are corrected to semicolons.

In § 648.14, the reference to the restrictions and conditions for the CA II Yellowtail Flounder SAP in paragraph (a)(136) is expanded to include § 648.85(b)(3)(xi).

In § 648.14, under paragraph (a)(139), the reference to the number of trips specified under § 648.85(b)(3)(vii) is expanded to include the monthly trip limits for vessels specified in § 648.85(b)(3)(vi).

In § 648.82, paragraphs (k)(4)(ix) and (l)(1)(ii) are revised to clarify that vessels can lease or transfer DAS to a vessel with a baseline length overall and horsepower that is no more than 10 percent and 20 percent greater than the baseline length overall and horsepower of the lessor or transferor vessel, respectively. This revision corrects the regulations to maintain consistency with the intent of Amendment 13 as outlined in the FSEIS.

Changes From the Proposed Rule

NMFS has made several changes to the proposed rule as a result of public comment and because of the disapproval of several management measures proposed in FW 40B. Other changes are technical or administrative in nature and clarify or otherwise enhance enforcement and administration of the FMP. These changes are listed below in the order that they appear in the regulations.

In § 648.2, a new definition for a Category 1 herring vessel is inserted to clarify which vessels are affected by the regulations specified at §§ 648.80(d) and (e).

In § 648.14, paragraph (a)(165) is revised to clarify that vessels are prohibited from removing any fish caught using any gear, including the dumping of nets, before the gear is brought on board the vessel.

In § 648.14, the reference to the GOM/GB Exemption area specified at § 648.80(a)(17) in paragraphs (bb)(19) and (bb)(20) is revised to read the GOM or GB Regulated Mesh Areas specified at § 648.80(a)(1) and (2).

In § 648.80, paragraphs (d)(6) and (e)(5) are revised to correct an inaccurate reference to § 648.4(a)(10) that should accurately read § 648.205(b). In addition, language referring to the intent of a vessel to fish in the GOM or GB RMA's was removed.

In § 648.80, to facilitate the monitoring of herring offloading operations by NMFS Office of Law Enforcement personnel and to

accommodate herring vessels fishing inshore of the VMS demarcation line, the language in paragraphs (d)(7) and (e)(6) is revised to require that vessels "must notify NMFS Office of Law Enforcement through VMS of the time and place of offloading at least 12 hours prior to crossing the VMS demarcation line on its return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 12 hours prior to landing." This 12-hour notice is required to provide the NMFS Office of Law Enforcement with sufficient time to meet vessels at the dock prior to offloading. These regulations are revised under the authority provided in section 305(d) of the Magnuson-Stevens Act.

In § 648.82(k)(4)(ix), the word "vessel" is added after the word "Lessor" to clarify that a Lessor vessel may only lease DAS to a Lessee vessel consistent with the size restrictions of the DAS Leasing Program.

In § 648.82, the title of paragraph (k)(4)(xi) is revised to read "One-time downgrade of DAS Leasing Program Baseline" to clarify the intent of this paragraph and maintain consistency with paragraphs (k)(4)(xi)(A) and (B) of this section. Further, language is added to the introductory text to specify that the intent of this measure is to determine eligibility for leasing DAS only.

In § 648.82, the title of paragraph (k)(4)(xi)(B) is revised to read "Duration and applicability of the one-time DAS Leasing Program baseline downgrade" to clarify the intent of this paragraph. In addition, the phrase "or any other provision" is added to the last sentence of this paragraph to specify that the DAS Leasing Program baseline downgrade would not affect any other provision in Subpart F.

In § 648.85, the title of paragraph (b)(3)(vii) is revised to specify that this paragraph describes the maximum number of trips into the CA II Yellowtail Flounder SAP per fishing year. Further, paragraphs (b)(3)(vii)(A) and (B) are combined into one paragraph. Finally, language is inserted into this paragraph to clarify that the available catch of GB yellowtail flounder is determined by subtracting the potential catch of GB yellowtail flounder by all vessels outside of the SAP from the GB yellowtail flounder TAC specified for the U.S./Canada Management Area at § 648.85(a)(2).

In § 648.87, the word "with" is replaced by the word "issued" in paragraph (d)(1)(ii) to clarify that all vessels issued a valid limited access NE multispecies DAS permit may participate in the GB Cod Hook Sector.

Under NOAA Administrative Order 205-11, 07/01, dated December 17, 1990, the under Secretary for Oceans and Atmosphere has delegated authority to sign material for publication in the **Federal Register** to the Assistant Administrator for Fisheries, NOAA.

Classification

The Regional Administrator determined that the management measures implemented by this final rule are necessary for the conservation and management of the NE multispecies fishery, and are consistent with the Magnuson-Stevens Act and other applicable laws.

This final rule has been determined to be not significant for the purposes of Executive Order (E.O.) 12866.

This final rule does not contain policies with Federalism or "takings" implications as defined in E.O. 13132 and E.O. 12630, respectively.

An EA was prepared for this action that analyzed the environmental impacts of the measures being implemented, as well as alternatives to such measures. The EA considered the extent to which the impacts could be mitigated, and considered the objectives of the action in light of statutory mandates, including the Magnuson-Stevens Act. NMFS also considered public comments received during the comment period of the proposed rule. A copy of the Finding of No Significant Impact for FW 40B is available from the Regional Administrator (*see ADDRESSES*).

Pursuant to 5 U.S.C. 553(b)(A), the Assistant Administrator waives prior notice and opportunity for public comment for the revisions to 15 CFR 902.1(b) because this portion of this final rule specifies actions of agency organization, procedure, or practice. Revisions to 15 CFR 902.1(b) in this action are necessary to maintain an accurate inventory of valid OMB control numbers for NOAA actions. This inventory was inadvertently not updated based upon the information collections approved by the OMB for the measures contained in Amendment 13 and FW 40A to the FMP. The public has already been provided opportunity to comment on these information collections through the publication of the proposed and final rules for Amendment 13 and the proposed and interim final rules for FW 40A. Further, because this final rule makes only minor, non-substantive changes and does not affect the operating practices of the NE multispecies fishery, it is unnecessary to provide for additional notice and opportunity for public comment. Further, pursuant to 5 U.S.C.

553(d)(3), the Assistant Administrator finds good cause to waive the 30-day delayed effectiveness for revisions to 15 CFR 902.1(b) in this final rule because these revisions are necessary for the purposes of agency procedure and practice to comply with the requirements of the PRA. These non-substantive revisions are necessary to ensure that the public is informed of the accurate OMB control number associated with particular regulatory citations. These revisions do not affect vessel operations.

The Assistant Administrator finds good cause, under 5 U.S.C. 553(d)(3), to waive the 30-day delayed effectiveness of the rest of the measures in this final rule. NMFS cannot initiate rulemaking for actions recommended by the Council until the final FW 40B package is received from the Council. NMFS did not receive the final FW 40B package until February 15, 2005. This delay limited the ability of NMFS to adequately review and implement FW 40B, after consideration of public comment, in time to allow delayed effectiveness before the beginning of the 2005 fishing year on May 1, 2005, or the opening of the CA II Yellowtail Flounder SAP on June 1, 2005. Failure to waive the 30-day delayed effectiveness would allow the SAP to open on June 1, 2005 (instead of July 1, 2005, as modified in this final rule), resulting in potentially high landings of GB yellowtail flounder that could depress market prices for yellowtail flounder as observed during the 2004 fishing year. In addition, since June is part of the spawning season for GB yellowtail flounder, allowing the SAP to open on June 1 by delaying the effectiveness would result in lower ex-vessel prices due to the lower quality of fish landed during the spawning period. Effort reductions implemented by Amendment 13 resulted in substantial adverse economic impacts to the groundfish fishery. Additional economic impacts resulting from a delayed effectiveness of the measures included in this final rule, taken cumulatively, represents further economic hardships to an already struggling industry. Moreover, opening on June 1 would allow vessels to continue to disrupt spawning aggregations of GB yellowtail flounder.

Although not overfished, the GB yellowtail flounder stock is currently below a level consistent with maximum sustainable yield (MSY). Therefore, under the Magnuson-Stevens Act, this stock must be rebuilt to a level consistent with MSY. Consequently, allowing the SAP to open due to a delayed effectiveness would enable

vessels to continue to harvest spawning fish, thereby undermining efforts to protect spawning aggregations of GB yellowtail flounder and rebuild this stock as required by the Magnuson-Stevens Act. Further, opening on June 1 could contribute to the premature harvest of the GB Yellowtail Flounder TAC, resulting in the closure of access to the Eastern U.S./Canada Area and a prohibition on the retention of GB yellowtail flounder in the entire U.S./Canada Management Area by limited access NE multispecies DAS vessels during the 2005 fishing year. Such a closure and retention prohibition could cause unnecessary additional discards of GB yellowtail flounder, reducing economic benefits to the fishery and further increasing mortality and the potential that the fishery will exceed the yearly TAC. Exceeding the yearly TAC would result in any TAC overages being deducted from the available TAC allocated to the following fishing year. Additionally, since the Regional Administrator has indicated in this action that there is justification to not authorize any trips into CA II Yellowtail Flounder SAP for the 2005 fishing year, a delayed effectiveness could result in the SAP opening on June 1, 2005, only to be closed again once such a decision is made and a notice published, thereby causing confusion to the industry. Therefore, a delayed effectiveness would be contrary to the public interest because it would (1) prevent the agency from protecting spawning aggregations of GB yellowtail flounder as required by the Magnuson-Stevens Act; (2) result in lower market prices, reduced economic returns to the fishing industry, and further adverse economic impacts; and (3) increase confusion in the fishing industry through rapid closure of the SAP.

Public Reporting Burden

This final rule contains five new collection-of-information requirements subject to the Paperwork Reduction Act (PRA). The collection of this information has been approved by OMB. The public's reporting burden for the collection-of-information requirements includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection-of-information requirements. The new reporting requirements and the estimated average time for a response are as follows:

1. Notice requirements for observer deployment prior to every trip for Category 1 herring vessels intending to fish in the GOM or GB RMA's, OMB# 0648-0521, (2 min/response);

2. NMFS Office of Law Enforcement landings notice requirement for Category 1 herring vessels operating with an observer waiver, OMB# 0648-0521, (5 min/response);

3. Notification and Communication with USCG and Center for Coastal Studies, OMB# 0648-0521, (10 min/response);

4. Written requests to receive a DAS credit for standing by an entangled whale, OMB# 0648-0521, (30 min/response);

5. Vessel baseline downgrade request for the DAS Leasing Program, OMB# 0648-0475, (1 hr/response).

Notwithstanding any other provision of the law, no person is required to respond to, and no person shall be subject to penalty for failure to comply with, a collection of information subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB control number.

Final Regulatory Flexibility Analysis

NMFS, pursuant to section 604 of the Regulatory Flexibility Act (RFA), prepared this FRFA in support of the approved measures in FW 40B. The FRFA describes the economic impacts that this final rule will have on small entities.

The FRFA incorporates the economic impacts summarized in the Initial Regulatory Flexibility Analysis (IRFA) for the proposed rule to implement FW 40B based upon the corresponding economic analysis prepared for FW 40B (FW 40B RIR), the comment and response section of this final rule, and the analysis contained in FW 40B. For the most part, those impacts are not repeated here. A copy of the IRFA, the FRFA, the RIR, and FW 40B are available from NMFS, Northeast Regional Office and are available on the Northeast Regional Office Web site (see **ADDRESSES**). A description of why this action was considered, the objectives of, and the legal basis for this final rule are contained in the preamble to this final rule and in the FW 40B document and are not repeated here.

A Summary of the Issues Raised by the Public Comments in Response to the IRFA, a Summary of the Assessment of the Agency of Such Issues, and a Statement of Any Changes Made in the Proposed Rule as a Result of Such Comments

NMFS received thirteen comments on the proposed rule. Of these, there was one comment on the IRFA and the economic impacts to small entities (vessels) resulting from the management measures presented in the proposed

rule. A summary of the economic issues raised, and NMFS's responses, follow:

Issue: One industry group suggested that NMFS has not calculated the overall expenses (*i.e.*, fuel, ice, bait, etc.) incurred by vessels that intend to participate in the WGOM Rod/Reel Haddock SAP as compared to the expected daily catch resulting from their participation in this SAP. This commenter indicated that the VMS operational costs, in addition to other costs, are too high for the expected returns from haddock caught, and recommended that the requirements to use VMS should be removed.

Response: The IRFA prepared for this action fulfills the requirements of the RFA to determine economic impacts based on available information. Apart from VMS operational cost information, data specifying other vessel costs in this SAP were not available for the analysis conducted for this provision. This is another reason why the analysis for this measure was insufficient to justify its approval. Accordingly, no further analysis of this measure was done because NMFS determined to disapprove this SAP for the reasons specified in the preamble of this final rule under "Disapproved Measures." Therefore, no changes in response to this comment were made to the final rule.

Description of and Estimate of the Number of Small Entities to Which the Proposed Rule Would Apply

This final rule implements measures that have the potential to affect any vessel currently issued a limited access NE multispecies permit and vessels issued a Category 1 herring permit. Currently, there are approximately 1,500 vessels issued a limited access NE multispecies permit and 105 vessels issued a Category 1 herring permit. However, it is very unlikely that every vessel issued a limited access NE multispecies permit or a Category 1 herring permit would be affected by this proposed action because of past and recent participation in the fishery, the voluntary nature of specific programs proposed in this action, and the associated regulatory and economic cost burdens for some of the proposed provisions. Except for the notification requirements for Category 1 herring vessels, all of the provisions in the proposed rule are voluntary. Therefore, vessels that participate in these programs would likely have determined that the potential benefits of their participation outweigh costs associated with these programs.

Based upon the information in the EA prepared for FW 40B, up to 1,409

vessels (*i.e.*, vessels issued a limited access NE multispecies DAS permit) may participate in the DAS Leasing and DAS Transfer Programs, the CA II Yellowtail Flounder SAP, or elect to stand by an entangled whale. Up to 1,351 vessels issued a limited access NE multispecies DAS permit that are currently not members of the GB Cod Hook Sector are eligible to enter the GB Cod Hook Sector. Currently, the 53 vessels designated as Trip gillnet vessels are no longer restricted in the number of gillnets that they may use and are not required to purchase gillnet tags for their gillnets.

The Small Business Administration (SBA) size standard for small commercial fishing entities is \$3.5 million in gross receipts and would apply to limited access NE multispecies permit holders and vessels issued a Category 1 herring permit. Data analyzed for Amendment 13 indicated that the maximum gross receipt for any single commercial fishing vessel for the period 1998 to 2001 was \$1.3 million. Data analyzed in FW 40B indicate that Category 1 herring vessels averaged approximately \$1.26 million in gross sales. For this reason, each vessel in this analysis is treated as a single entity for the purposes of size determination and impact assessment. All commercial fishing entities affected by this proposed rule would fall under the SBA size standard for small commercial fishing entities, and there would be no disproportionate impacts between small and large entities.

Description of the Projected Reporting, Recordkeeping, and Other Compliance Requirements of the Final Rule

The measures implemented by this final rule include the following provisions requiring either new or revised reporting and recordkeeping requirements: (1) Notice requirements for observer deployment prior to every trip for Category 1 herring vessels intending to fish in the GOM or GB RMA's; (2) NMFS Office of Law Enforcement landings notice requirement for Category 1 herring vessels operating with an observer waiver; (3) notification and communication with USCG and Center for Coastal Studies for standing by an entangled whale; (4) request for DAS Credit for standing by an entangled whale; and (5) vessel baseline downgrade request for the DAS Leasing Program.

The measures proposed under FW 40B would result in several costs to participants. To participate in the herring fishery, Category 1 vessels are required to use VMS. The cost of the

purchase and installation of VMS units to vessels participating in the herring fishery have already been considered and approved in a previous PRA submission. VMS operational costs that have not been previously authorized under the PRA include the costs associated with VMS notifications to NMFS Office of Law Enforcement for Category 1 herring vessels that are not issued an observer waiver. These costs total approximately \$3 per vessel every year, assuming every vessel issued a Category 1 herring permit fishes in the GOM or GB RMA's, a 50-percent observer coverage rate, and a total of 1,337 trips per year. There are no costs associated with communicating with the USCG or the Center for Coastal Studies regarding standing by an entangled whale as these communications would likely occur via radio. Written requests to receive a DAS credit for standing by an entangled whale will cost the public \$3.70 for postage, assuming 10 such requests are submitted per year. The costs associated with vessel baseline downgrade requests for the DAS Leasing Program total \$518, assuming every eligible vessel would downgrade their DAS Leasing Program baseline in one year and a postage cost of \$0.37 per submission.

Only the minimum data to meet the requirements of the above data needs are requested from all participants. Since all of the respondents are small businesses, separate requirements based on the size of the business have not been developed.

Economic Impacts Resulting From Disapproved Measures and Changes to the Proposed Rule

As discussed in the preamble of this final rule, NMFS has disapproved three of the proposed management measures in FW 40B. These measures are: A research TAC set-aside for GB cod, the WGOM Rod/Reel Haddock SAP, and the minimum effective effort provision. The GB cod research set-aside TAC was disapproved because of insufficient detail regarding how to implement this measure. This lack of detail prevented NMFS from accurately assessing the potential biological and economic impacts of this measure. This disapproval will likely result in increased economic benefits, at least in the short-term, to the entire fishery compared to those specified in the proposed rule because this research TAC set-aside would have reduced the amount of the GB cod incidental catch TAC available to Category B DAS programs implemented under FW 40A (*i.e.*, the Regular B DAS Pilot Program and the Eastern U.S./Canada Haddock

SAP Pilot Program). Without this research set-aside TAC, participants in the Regular B DAS Pilot Program and the Eastern U.S./Canada Haddock SAP Pilot Program will have more opportunities to harvest healthier groundfish stocks because of the larger GB cod incidental catch TAC's allocated to these programs. Further, with higher incidental catch TAC's available for the 2005 fishing year, benefits to these vessels will be higher than anticipated in the proposed rule and will be equivalent with the economic benefits resulting from the no action alternative.

The disapproval of the WGOM Rod/Reel Haddock SAP will reduce the economic benefits described in the proposed rule. The IRFA estimated the benefits of this SAP at \$140,000, assuming that vessels would be able to catch the entire haddock TAC allocated for this SAP. However, estimated benefits from this SAP would likely have been lower as the catch of GOM cod in this SAP would have likely limited the potential of participating vessels from realizing the maximum benefits from the haddock TAC. The IRFA noted that this SAP would have provided an opportunity for vessels, particularly small vessels in the GOM, to target healthy groundfish stocks using a Category B DAS. Despite the potential economic benefits of this SAP, NMFS is required to ensure that such SAP's are consistent with the FMP, and meet the requirements of the Magnuson-Stevens Act and other applicable law. As explained in the preamble of this final rule, the information used to justify this SAP was not representative of the fishing operations proposed and the analysis of the proposed measures did not adequately show that the amount of bycatch of GOM cod were minimized to the extent practicable. For these reasons, the proposed SAP is inconsistent with National Standard 2, National Standard 9, section 303(a)(11) of the Magnuson-Stevens Act, as well as the objectives of the FMP. The GOM cod incidental catch TAC that was allocated to this SAP is instead allocated to the Regular B DAS Pilot Program. This provides vessels with greater economic benefits from increased opportunities to target healthy groundfish stocks in the GOM under this program. These benefits would be equivalent with the economic benefits resulting from the no action alternative.

FW 40B proposed to re-categorize 10 Category C DAS as Category B Reserve DAS for all vessels allocated zero Category A or B DAS under Amendment 13. These DAS could only have been used in specific SAP's that do not contain a DAS flipping provision. As described in the preamble of this final

rule, NMFS concluded that this measure posed equity concerns, not justified by conservation benefits, and was therefore not consistent with National Standard 4. The IRFA indicated that the economic benefits of this provision would be positive for vessels receiving a minimum DAS allocation. However, this measure would also reduce economic benefits to other vessels that were allocated Category A and B DAS under Amendment 13 by increasing the number of participants in specific SAP's and spreading the limited potential benefits of these SAP's among more vessels. With the disapproval of this measure, the economic impacts of this action would be equivalent with the economic impacts of the no action alternative.

Description of the Steps the Agency Has Taken To Minimize the Significant Economic Impact on Small Entities Consistent With the Stated Objectives of Applicable Statutes, Including a Statement of the Factual, Policy, and Legal Reasons for Selecting the Alternative Adopted in the Final Rule and Why Each One of the Other Significant Alternatives to the Rule Considered by the Agency Which Affect the Impact on Small Entities Was Rejected

This final rule implements measures that will increase the economic efficiency of several programs implemented in previous actions to help mitigate some of the negative economic impacts of effort reductions under Amendment 13, including facilitating participation in the DAS Leasing and Transfer Programs and revising measures that will help maximize the benefits of the GB yellowtail flounder TAC in the CA II Yellowtail Flounder SAP.

This final rule reduces the conservation tax for Category A and B DAS exchanged through the DAS Transfer Program to facilitate consolidation of the groundfish fleet through market-based incentives. Currently, Category A and B DAS exchanged through the DAS Transfer Program are subject to a 40 percent conservation tax, while Category C DAS are subject to a 90-percent conservation tax. In addition, the vessel selling its DAS must exit all fisheries. This action reduces the conservation tax for Category A and B DAS exchanged to 20 percent, but would retain the 90-percent conservation tax for Category C DAS and the requirement that the vessel selling its DAS exit all fisheries. This conservation tax reduction increases the potential value of a DAS exchanged under the DAS Transfer Program. It is

currently not known whether the conservation tax itself has inhibited vessels from participating in this program to date. Unless the selling vessel holds no other limited access permits, the selling vessel may not be able to recoup the full value of the permit by selling the NE multispecies DAS alone. Because the vessel is required to retire from all other fisheries, the opportunity cost to the seller could be quite high. However, overall, this action is expected to increase the potential return to both buyers and sellers and have a beneficial impact on small entities of uncertain magnitude.

This action also removes the tonnage requirement for the DAS Transfer Program, requiring that vessels receiving DAS exchanged through the DAS Transfer Program only meet the size requirements for length overall and horsepower. This would bring the size restrictions of the DAS Transfer Program in line with those of the DAS Leasing Program. These revisions are expected to increase participation in the DAS Transfer Program by increasing the potential pool of compatible vessels capable of exchanging DAS under the DAS Transfer Program. Therefore, these revisions are expected to increase the potential economic benefits associated with increased fleet efficiency. It is unknown if this provision would facilitate additional DAS transfers, but it is likely that economic impacts from this provision would be positive. Reducing the conservation tax and removing the tonnage criterion through this final rule will likely yield greater economic benefits than the no action alternative because to date no vessels have participated in the DAS Transfer Program under the 40 percent conservation tax on Category A and B DAS.

FW 40B allows vessels the one-time opportunity to downgrade the permit baseline characteristics established for the DAS Leasing Program to reflect the physical characteristics of the vessel currently using the permit. This is expected to increase the potential pool of vessels available to lease DAS. The economic impact of this provision is likely to be positive compared to the no action alternative, though the number of vessels that might downgrade their DAS Leasing Program baseline and the economic value of that downgrade is not quantifiable.

The CA II Yellowtail Flounder SAP was implemented under Amendment 13. This final rule revises the season, adjusts the trip limit, limits the number of trips that could be taken during a fishing year, and establishes a process

that allows the Regional Administrator to help achieve OY from the yellowtail flounder TAC and ensure that the SAP does not conflict with the management objectives outside of the SAP. Changing the start date for this SAP from June 1 to July 1 will likely increase the price received by vessels landing GB yellowtail flounder from the SAP because ex-vessel prices for GB yellowtail flounder have been historically lower in June compared to July. Reducing the GB yellowtail flounder landing limit from 30,000 lb (13,605 kg) per trip to 10,000 lb (4,536 kg) per trip and reducing vessels from two trips into the SAP per month to one trip per month will likely spread out landings of GB yellowtail flounder throughout the fishing year. This will likely lead to more consistently higher ex-vessel prices throughout the fishing year by avoiding dramatic drops in ex-vessel price that result when large amounts of yellowtail flounder are landed at one time. While regulating the supply of yellowtail flounder through restrictive trip limits may offer vessels higher ex-vessel prices, these restrictions could also increase costs by increasing the number of trips necessary to harvest the available TAC. However, current regulations allow vessels to fish in the CA II Yellowtail Flounder SAP and the Eastern U.S./Canada Haddock SAP Pilot Program and/or the Eastern U.S./Canada Area on the same trip, enabling vessels to target other species and potentially earn sufficient revenue to cover associated vessel costs. However, the Regional Administrator, after consulting with the Council, may determine that there is insufficient GB yellowtail flounder TAC available to support the opening of the CA II Yellowtail Flounder SAP without jeopardizing the GB yellowtail fishery outside of the SAP. If this determination is made, the Regional Administrator may reduce trips taken into this SAP to zero during the 2005 fishing year. This would further ensure that the large amounts of GB yellowtail flounder that were landed from this SAP during the 2004 fishing year that resulted in depressed market prices and the premature closing of the Eastern U.S./Canada Area do not negatively affect the fishery in a similar manner during the 2005 fishing year. A lower GB yellowtail flounder trip limit for the CA II Yellowtail Flounder SAP and the ability to close access to this SAP when there is insufficient GB yellowtail flounder TAC to support the SAP and a fishery outside the SAP would allow vessels greater opportunity to fully harvest the available GB cod and GB haddock TAC

allocated to the Eastern U.S./Canada Area and achieve the full economic benefit from the U.S./Canada Management Area for vessels operating under a Category A DAS. These revisions may help mitigate the derby effects and the resulting decreases in economic benefits from the U.S./Canada Management Area experienced during the 2004 fishing year and would result in increased economic benefits than the no action alternative.

FW 40B also changes the manner in which the GB Cod Hook Sector allocation is calculated by allowing all vessels and all landings, regardless of gear, to count towards the Sector's GB cod allocation. This will increase the Sector's share of the overall GB cod TAC for the 2005 fishing year. While Sector vessels would be able to increase overall fishing revenues from the increased allocation of GB cod, this provision may reduce the amount of GB cod target TAC available to non-Sector vessels. Even though the TAC available to non-Sector vessels is a target TAC and would not automatically result in area closures, the diminished non-Sector GB cod target TAC could potentially slightly increase the probability that the GB cod target TAC would be exceeded, necessitating possible additional restrictions on non-Sector vessels to ensure the target TAC is not exceeded. Therefore, compared to the no action alternative, this action would result in positive economic benefits to members of the GB Cod Hook Sector associated with an increase in the TAC of 0.33-percent, or 14 mt for the 2005 fishing year. Non-Sector vessels may potentially see future minimal restrictions on fishing and income opportunities associated with a decrease in available TAC of 14 mt for the 2005 fishing year. However, any reduction in fishing opportunities for non-Sector vessels caused by additional vessels joining the GB Cod Hook Sector and therefore increasing the GB Cod Hook Sector's GB cod TAC allocation could potentially be offset by the resulting reduction in the number of non-Sector vessels.

This final rule implementing FW 40B establishes a mechanism to provide a DAS credit for vessels standing by an entangled whale. This incentive for vessels to report and stand by an entangled whale is expected to increase the likelihood that entangled whales could be found, tracked, and potentially disentangled. Increasing the possibility that an entangled whale could be successfully tracked and disentangled would result in positive existence and non-consumptive use values to the public.

FW 40B requires that Category 1 herring vessels notify the NMFS Observer Program at least 72 hours prior to fishing for herring in the GOM or GB RMA's. In addition, if an observer is not provided for the trip, the vessel must notify NMFS Office of Law Enforcement via VMS at least 12 hours prior to offloading the catch. These requirements are likely to impose some costs associated with reduced trip flexibility. However, it is not known the extent to which this provision would compromise economic efficiency of herring vessel operations.

Finally, this action removes the net limit for Trip gillnet vessels. Removing the net limit also eliminates the need for vessels to purchase gillnet tags for groundfish gillnets (a reduction in costs of \$180 per vessel). This also eliminates the need to switch the limited number of gillnet tags over to different sized nets during vessel operations. This provides greater flexibility in vessel operations, resulting in unknown positive economic benefits. This provision could increase the number of gillnets used by Trip gillnet vessels leading to potential increases in vessel revenue associated with higher landings.

FW 40B analyzed the aggregate economic benefits of four other non-selected alternatives. These alternatives consisted of various combinations of all of the provisions described in FW 40B, including some that were not specified in the selected alternative. Alternative 1, includes every provision described in FW 40B, including additional options for the DAS Leasing and Transfer Programs, the GB Haddock SAP North of CA I, an option that would restrict participation in the WGOM Closure Area Rod/Reel Haddock SAP to only NE multispecies DAS vessels, options to prohibit herring vessels from fishing in the NE multispecies closed areas, and a minimum observer requirement for vessels to participate in Category B DAS programs. Some of the provisions included in Alternative 1 (specifically, the GB Haddock SAP North of CA I and options to revise the DAS Transfer Program) would have resulted in greater economic benefits than the selected alternative, while others would have resulted in greater adverse impacts to specific groups of vessels. Given the restrictive measures and monitoring requirements involved with the GB Haddock SAP North of CA I, this measure would likely provide few additional opportunities for fishermen at the cost of considerable additional complexity in the fishery. Further, under Alternative 1, vessels participating in the DAS Leasing Program would have been adversely

affected by a conservation tax for the DAS Leasing Program as well as Category 1 herring vessels that would have been prohibited from fishing in the NE multispecies closed areas. Finally, the minimum observer requirements to participate in a SAP would have likely resulted in greater costs to smaller vessels that do not have the required safety equipment necessary to carry an observer. These measures would have resulted in substantial adverse economic impacts than the selected alternative.

Alternative 2 is identical to the selected alternative without specifying certain options for the measures included, and would have resulted in the same economic impacts.

Alternative 3 differs from the selected alternative in that it would not change the current conservation tax for the DAS Leasing and Transfer Programs, includes modifications to the non-groundfish permit transfer provisions of the DAS Transfer Program, and does not include modifications to the GB Cod Hook Sector allocation calculation. This alternative would likely result in economic benefits similar to the no action alternative, although modifications to the DAS Transfer Program would have likely increased the value of DAS exchanged under that program. Alternative 4 differs from the proposed alternative in that it includes the GB Haddock SAP North of CA I, but does not include modifications to the GB Cod Hook Sector allocation calculation. Alternative 4 would result in greater economic benefit than the selected alternative because of the GB Haddock SAP North of CA I; however, as specified above, this measure would have likely provided few additional fishing opportunities for fishermen at the cost of considerable additional complexity in the fishery. The measures implemented by this final rule will provide greater economic efficiency than the non-selected alternatives without increasing the complexity of the fishery, compromising opportunities for Category 1 herring vessels to fish in the GOM or GB RMA's, or increasing the costs for vessels to comply with Observer Program requirements.

Section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA) states that for each rule or group of related rules for which an agency is required to prepare a FRFA, the agency shall publish one or more guides to assist small entities in complying with the rule, and shall designate such publications as "small entity compliance guides." The agency shall explain the actions a small entity is required to take to comply with a rule

or group of rules. In conjunction with this rule making process, a small entity compliance guide was prepared. Copies of the guide will be sent to all holders of limited access multispecies permits and Category 1 herring permits. The guide will be available on the Internet at <http://www.nero.noaa.gov>. Copies of the guide can also be obtained from the Regional Administrator (see ADDRESSES).

List of Subjects

15 CFR Part 902

Reporting and recordkeeping requirements.

50 CFR Part 648

Fisheries, Fishing, Reporting and recordkeeping requirements.

Dated: May 25, 2005.

John Oliver,

Deputy Assistant Administrator for Operations, National Marine Fisheries Service.

■ For the reasons stated in the preamble, 15 CFR part 902, and 50 CFR part 648 are amended as follows:

15 CFR Chapter IX

PART 902—NOAA INFORMATION COLLECTION REQUIREMENTS UNDER THE PAPERWORK REDUCTION ACT: OMB CONTROL NUMBERS

■ 1. The authority citation for part 902 continues to read as follows:

Authority: 44 U.S.C. 3501 *et seq.*

■ 2. In § 902.1, the table in paragraph (b) under 50 CFR is amended by:

■ a. Revising the existing entries for § 648.4, § 648.9, § 648.10, § 648.14, § 648.80, § 648.81, § 648.82, § 648.86, § 648.89, § 648.94, and § 648.322; and

■ b. Adding new entries for § 648.85, § 648.87, and § 648.88 to read as follows:

§ 902.1 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

* * * * *

(b) Display.

| CFR part or section where the information collection requirement is located | Current OMB control number (all numbers begin with 0648—) |
|---|---|
| * * * | * * * |
| 50 CFR | |
| * * * | * * * |
| 648.4 | —0202, —0212, and —0489. |
| * * * | * * * |
| 648.9 | —0202, —0404, —0489 and —0501. |

| CFR part or section where the information collection requirement is located | Current OMB control number (all numbers begin with 0648—) |
|---|---|
| 648.10 | —0202, —0489, and —0501. |
| * * * | * * * |
| 648.14 | —0202, —0212, —0469, —0489, —0501, and —0502. |
| * * * | * * * |
| 648.80 | —0202, —0422, —0489, and —0521. |
| 648.81 | —0202, —0412, and —0489. |
| 648.82 | —0202, —0457, —0489, and —0521. |
| * * * | * * * |
| 648.85 | —0212, —0489, —0501, and —0502. |
| 648.86 | —0202, —0391, —0457, and —0489. |
| 648.87 | —0489. |
| 648.88 | —0489. |
| 648.89 | —0412 and —0489. |
| * * * | * * * |
| 648.94 | —0202 and —0489. |
| * * * | * * * |
| 648.322 | —0480 and —0489. |
| * * * | * * * |

50 CFR Chapter VI

PART 648—FISHERIES OF THE NORTHEASTERN UNITED STATES

■ 3. The authority citation for part 648 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

■ 4. In § 648.2, a new definition for “Category 1 herring vessel” is added in alphabetical order, to read as follows:

§ 648.2 Definitions.

* * * * *

Category 1 herring vessel, means a vessel issued a permit to fish for Atlantic herring that is required to have an operable VMS unit installed on board pursuant to §648.205(b).

■ 5. In § 648.10, paragraphs (b)(1)(vi) through (b)(1)(viii) are revised to read as follows:

§ 648.10 DAS notification requirements.

* * * * *

(b) * * *

(1) * * *

(vi) A vessel issued a limited access NE multispecies permit electing to fish under the U.S./Canada Resource Sharing Understanding, as specified in § 648.85(a);

(vii) A vessel electing to fish under the Regular B DAS Pilot Program, as specified in § 648.85(b)(6);

(viii) A vessel electing to fish in the Closed Area I Hook Gear Haddock SAP, as specified in § 648.85(b)(7); and

* * * * *

■ 6. In § 648.14, paragraphs (a)(136), (a)(139), and (c)(14) are revised; and paragraphs (a)(165), (c)(80), (bb)(19), and (bb)(20) are added to read as follows:

§ 648.14 Prohibitions.

(a) * * *

(136) If fishing under the Closed Area II Yellowtail Flounder SAP, fish for, harvest, possess or land any regulated NE multispecies from the area specified in § 648.85(b)(3)(ii), unless in compliance with the restrictions and conditions specified in §§ 648.85(b)(3)(i) through (xi).

* * * * *

(139) If fishing in the Closed Area II Yellowtail Flounder SAP specified in § 648.85(b)(3), exceed the number of trips specified under § 648.85(b)(3)(vi) or (vii).

* * * * *

(165) If a vessel is fishing under a Category B DAS in the Closed Area II Yellowtail Flounder SAP specified in § 648.85(b)(3), the Regular B DAS Pilot Program specified in § 648.85(b)(6), or the Eastern U.S./Canada Haddock SAP Pilot Program specified in § 648.85(b)(8), remove any fish caught with any gear, including dumping the contents of a net, except on board the vessel.

* * * * *

(c) * * *

(14) If the vessel has been issued a limited access NE multispecies permit and fishes under a NE multispecies DAS with gillnet gear, fail to comply with gillnet tagging requirements specified in §§ 648.80(a)(3)(iv)(B)(4), (a)(3)(iv)(C), (a)(4)(iv)(B)(3), (b)(2)(iv)(B)(3), and (c)(2)(v)(B)(3), or fail to produce, or cause to be produced, gillnet tags when requested by an authorized officer.

* * * * *

(80) Provide false information on the application to downgrade the DAS Leasing Program baseline, as required under § 648.82(k)(4)(xi).

* * * * *

(bb) * * *

(19) If the vessel has been issued a Category 1 herring permit and is fishing

for herring in the GOM/GB Exemption Area specified in § 648.80(a)(17), fail to notify NMFS at least 72 hours prior to departing on a trip for the purposes of observer deployment.

(20) If the vessel has been issued a Category 1 herring permit and is fishing for herring in the GOM/GB Exemption Area specified in § 648.80(a)(17), fail to notify the NMFS Office of Law Enforcement of the time and date of landing via VMS at least 12 hours prior to landing or crossing the VMS demarcation line on its return trip to port if issued an observer waiver pursuant to § 648.80(d)(7) or (e)(6).

* * * * *

■ 7. In § 648.80, paragraphs (a)(3)(iv)(A)(2), (a)(4)(iv)(A), (b)(2)(iv) introductory paragraph, (b)(2)(iv)(A), (c)(2)(v)(A), (d)(2), (d)(4), (d)(5), and (e)(2) through (e)(4) are revised; paragraphs (a)(3)(iv)(A)(3) and (a)(3)(iv)(A)(4) are removed; and paragraphs (d)(6), (d)(7), (e)(5), and (e)(6) are added to read as follows:

§ 648.80 NE Multispecies regulated mesh areas and restrictions on gear and methods of fishing.

* * * * *

- (a) * * *
- (3) * * *
- (iv) * * *
- (A) * * *

(2) *Net size requirements.* Nets may not be longer than 300 ft (91.4 m), or 50 fathoms (91.4 m) in length.

* * * * *

- (4) * * *
- (iv) * * *

(A) *Trip gillnet vessels.* A Trip gillnet vessel fishing under a NE multispecies DAS and fishing in the GB Regulated Mesh Area may not fish with nets longer than 300 ft (91.4 m), or 50 fathoms (91.4 m) in length.

* * * * *

- (b) * * *
- (2) * * *

(iv) *Gillnet vessels.* For Day and Trip gillnet vessels, the minimum mesh size for any sink gillnet not stowed and not available for immediate use in accordance with § 648.23(b), when fishing under a DAS in the NE multispecies DAS program in the SNE Regulated Mesh Area, is 6.5 inches (16.5 cm) throughout the entire net. This restriction does not apply to nets or pieces of nets smaller than 3 ft (0.9 m) x 3 ft (0.9 m), (9 sq ft (0.81 sq m)), or to vessels that have not been issued a NE multispecies permit and that are fishing exclusively in state waters. Day gillnet vessels must also abide by the tagging requirements in paragraph (a)(3)(iv)(C) of this section.

(A) *Trip gillnet vessels.* A Trip gillnet vessel fishing under a NE multispecies DAS and fishing in the SNE Regulated Mesh Area may not fish with nets longer than 300 ft (91.4 m), or 50 fathoms (91.4 m) in length.

* * * * *

- (c) * * *
- (2) * * *
- (v) * * *

(A) *Trip gillnet vessels.* A Trip gillnet vessel fishing under a NE multispecies DAS and fishing in the MA Regulated Mesh Area may not fish with nets longer than 300 ft (91.4 m), or 50 fathoms (91.4 m) in length.

* * * * *

- (d) * * *

(2) When fishing under this exemption in the GOM/GB Exemption Area, as defined in paragraph (a)(17) of this section, and in the area described in § 648.81(c)(1), the vessel has on board a letter of authorization issued by the Regional Administrator, and complies with all restrictions and conditions thereof;

* * * * *

(4) The vessel does not fish for, possess, or land NE multispecies;

(5) The vessel must carry a NMFS-approved sea sampler/observer, if requested by the Regional Administrator;

(6) To fish for herring under this exemption in the GOM/GB Exemption Area as defined in paragraph (a)(17) of this section, vessels issued a Category 1 herring permit pursuant to § 648.205(b) must provide notice to NMFS of the vessel name; contact name for coordination of observer deployment; telephone number for contact; and the date, time, and port of departure, at least 72 hours prior to beginning any trip into these areas for the purposes of observer deployment; and

(7) Any vessel issued an observer waiver pursuant to paragraph (d)(6) of this section must notify NMFS Office of Law Enforcement through VMS of the time and place of offloading at least 12 hours prior to crossing the VMS demarcation line on its return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 12 hours prior to landing.

* * * * *

- (e) * * *

(2) When fishing under this exemption in the GOM/GB Exemption Area, as defined in paragraph (a)(17) of this section, the vessel has on board a letter of authorization issued by the Regional Administrator;

(3) The vessel only fishes for, possesses, or lands Atlantic herring, blueback herring, mackerel, or menhaden;

(4) The vessel does not fish for, possess, or land NE multispecies; and

(5) To fish for herring under this exemption in the GOM/GB Exemption Area as defined in paragraph (a)(17) of this section, vessels issued a Category 1 herring permit pursuant to § 648.205(b) must provide notice to NMFS of the vessel name; contact name for coordination of observer deployment; telephone number for contact; and the date, time, and port of departure, at least 72 hours prior to beginning any trip into these areas for the purposes of observer deployment; and

(6) Any vessel issued an observer waiver pursuant to paragraph (e)(5) of this section must notify NMFS Office of Law Enforcement through VMS of the time and place of offloading at least 12 hours prior to crossing the VMS demarcation line on its return trip to port, or, for vessels that have not fished seaward of the VMS demarcation line, at least 12 hours prior to landing.

* * * * *

■ 8. In § 648.82, paragraphs (k)(4)(ix), (l)(1)(ii), and (l)(1)(iv) are revised, and paragraphs (k)(4)(xi), and (m) are added to read as follows:

§ 648.82 Effort-control program for NE multispecies limited access vessels.

* * * * *

- (k) * * *

- (4) * * *

(ix) *Size restriction of Lessee vessel.* A Lessor vessel only may lease DAS to a Lessee vessel with a baseline main engine horsepower rating that is no more than 20 percent greater than the baseline engine horsepower of the Lessor vessel. A Lessor vessel may only lease DAS to a Lessee vessel with a baseline length overall that is no more than 10 percent greater than the baseline length overall of the Lessor vessel. For the purposes of this program, the baseline horsepower and length overall specifications of vessels are those associated with the permit as of January 29, 2004, unless otherwise modified according to paragraph (k)(4)(xi) of this section.

* * * * *

(xi) *One-time downgrade of DAS Leasing Program baseline.* For the purposes of determining eligibility for leasing DAS only, a vessel owner may elect to make a one-time downgrade to the vessel's DAS Leasing Program baseline length and horsepower as specified in paragraph (k)(4)(ix) of this section to match the length overall and horsepower specifications of the vessel that is currently issued the permit.

(A) *Application for a one-time DAS Leasing Program baseline downgrade.*

To downgrade the DAS Leasing Program baseline, eligible NE multispecies vessels must submit a completed application form obtained from the Regional Administrator. An application to downgrade a vessel's DAS Leasing Program baseline must contain at least the following information: Vessel owner's name, vessel name, permit number, official number or state registration number, current vessel length overall and horsepower specifications, an indication whether additional information is included to document the vessel's current specifications, and the signature of the vessel owner.

(B) *Duration and applicability of one-time DAS Leasing Program baseline downgrade.* The downgraded DAS Leasing Program baseline remains in effect until the DAS Leasing Program expires or the permit is transferred to another vessel via a vessel replacement. Once the permit is transferred to another vessel, the DAS Leasing Program baseline reverts to the baseline horsepower and length overall specifications associated with the permit prior to the one-time downgrade. Once the DAS Leasing Program baseline is downgraded for a particular permit, no further downgrades may be authorized for that permit. The downgraded DAS Leasing Program baseline may only be used to determine eligibility for the DAS Leasing Program and does not affect or change the baseline associated with the DAS Transfer Program specified in paragraph (l)(1)(ii) of this section, or the vessel replacement or upgrade restrictions specified at § 648.4(a)(1)(i)(E) and (F), or any other provision, respectively.

(l) * * *

(1) * * *

(ii) NE multispecies DAS may be transferred only to a vessel with a baseline main engine horsepower rating that is no more than 20 percent greater than the baseline engine horsepower of the transferor vessel. NE multispecies DAS may be transferred only to a vessel with a baseline length overall that is no more than 10 percent greater than the baseline length overall of the transferor vessel. For the purposes of this program, the baseline horsepower and length overall are those associated with the permit as of January 29, 2004.

* * * * *

(iv) NE multispecies Category A and Category B DAS, as defined under paragraphs (d)(1) and (d)(2) of this section, shall be reduced by 20 percent upon transfer.

* * * * *

(m) *DAS credit for standing by entangled whales.* Limited access vessels fishing under the DAS program that report and stand by an entangled whale may request a DAS credit for the time spent standing by the whale. The following conditions and requirements must be met to receive this credit:

(1) At the time the vessel begins standing by the entangled whale, the vessel operator must notify the USCG and the Center for Coastal Studies, or another organization authorized by the Regional Administrator, of the location of the entangled whale and that the vessel is going to stand by the entangled whale until the arrival of an authorized response team;

(2) Only one vessel at a time may receive credit for standing by an entangled whale. A vessel standing by an entangled whale may transfer its stand-by status to another vessel while waiting for an authorized response team to arrive, provided it notifies the USCG and the Center for Coastal Studies, or another organization authorized by the Regional Administrator, of the transfer. The vessel to which stand-by status is transferred must also notify the USCG and the Center for Coastal Studies or another organization authorized by the Regional Administrator of this transfer and comply with the conditions and restrictions of this part;

(3) The stand-by vessel must be available to answer questions on the condition of the animal, possible species identification, severity of entanglement, etc., and take photographs of the whale, if possible, regardless of the species of whale or whether the whale is alive or dead, during its stand-by status and after terminating its stand-by status. The stand-by vessel must remain on scene until the USCG or an authorized response team arrives, or the vessel is informed that an authorized response team will not arrive. If the vessel receives notice that a response team is not available, the vessel may discontinue standing-by the entangled whale and continue fishing operations; and

(4) To receive credit for standing by an entangled whale, a vessel must submit a written request to the Regional Administrator. This request must include at least the following information: Date and time when the vessel began its stand-by status, date of first communication with the USCG, and date and time when the vessel terminated its stand-by status. DAS credit shall not be granted for the time a vessel fishes when standing by an entangled whale. Upon a review of the request, NMFS shall consider granting

the DAS credit based on information available at the time of the request, regardless of whether an authorized response team arrives on scene or a rescue is attempted. NMFS shall notify the permit holder of any DAS adjustment that is made or explain the reasons why an adjustment will not be made.

■ 9. In § 648.85, paragraphs (b)(3)(iii), and (b)(3)(vi) through (b)(3)(viii) are revised to read as follows:

§ 648.85 Special management programs.

* * * * *

(b) * * *

(3) * * *

(iii) *Season.* Eligible vessels may fish in the Closed Area II Yellowtail Flounder SAP during the period July 1 through December 31.

* * * * *

(vi) *Number of trips per vessel.* Unless otherwise authorized by the Regional Administrator as specified in paragraph (a)(3)(iv)(D) of this section, eligible vessels are restricted to one trip per month, during the season described in paragraph (b)(3)(iii) of this section.

(vii) *Maximum number of trips per fishing year.* Unless otherwise authorized by the Regional Administrator as specified in paragraph (a)(3)(iv)(D) of this section, the total number of allowed trips by all vessels combined that may be declared into the Closed Area II Yellowtail Flounder SAP shall be as announced by the Regional Administrator, after consultation with the Council, for each fishing year, prior to June 1, through rulemaking consistent with the Administrative Procedure Act. The total number of trips by all vessels combined that may be declared into this SAP shall not exceed 320 trips per year. When determining the total number of trips, the Regional Administrator shall consider the available yellowtail flounder TAC under the U.S./Canada Resource Sharing Understanding, the potential catch of GB yellowtail flounder by all vessels fishing outside of the SAP, recent discard estimates in all fisheries that catch yellowtail flounder, and the expected number of SAP participants. If the Regional Administrator determines that the available catch, as determined by subtracting the potential catch of GB yellowtail flounder by all vessels outside of the SAP from the GB yellowtail flounder TAC allocation specified in paragraph (a)(2) of this section, is insufficient to allow for at least 150 trips with a possession limit of 15,000 lb (6,804 kg) of yellowtail flounder per trip, the Regional Administrator may choose not to

authorize any trips into the SAP during a fishing year.

(viii) *Trip limits*—(A) *Yellowtail flounder trip limit*. Unless otherwise authorized by the Regional Administrator as specified in paragraph (a)(3)(iv)(D) of this section, a vessel fishing in the CA II Yellowtail Flounder SAP may fish for, possess, and land up to 10,000 lb (4,536 kg) of yellowtail flounder per trip. The Regional Administrator may adjust this limit to a maximum of 30,000 lb (13,608 kg) per trip after considering the factors listed in paragraph (b)(3)(vii) of this section for the maximum number of trips.

(B) *Cod and haddock trip limit*. Unless otherwise restricted, a NE multispecies vessel fishing any portion of a trip in the Closed Area II Yellowtail Flounder SAP may not fish for, possess, or land more than 1,000 lb (453.6 kg) of cod per trip, regardless of trip length. A NE multispecies vessel fishing in the Closed Area II Yellowtail Flounder SAP is subject to the haddock requirements described under § 648.86(a), unless further restricted under paragraph (a)(3)(iv) of this section.

* * * * *

■ 10. In § 648.87, paragraphs (d)(1)(ii) and (d)(1)(iii)(A) are revised to read as follows:

§ 648.87 Sector allocation.

* * * * *

(d) * * *

(1) * * *

(ii) *Eligibility*. All vessels issued a valid limited access NE multispecies DAS permit are eligible to participate in the GB Cod Hook Sector, provided they have documented landings through valid dealer reports submitted to NMFS of GB cod during the fishing years 1996 to 2001, regardless of gear fished.

(iii) * * *

(A) Sum of the total accumulated landings of GB cod by vessels identified in the Sector's Operation Plan specified under paragraph (b)(2) of this section, for the fishing years 1996 through 2001, regardless of gear used, as reported in the NMFS dealer database.

* * * * *

[FR Doc. 05-10780 Filed 5-25-05; 4:29 pm]

BILLING CODE 3510-22-P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 9

[T.D. TTB-27; Notice No. 21]

RIN 1513-AA58

Establishment of the Ribbon Ridge Viticultural Area (2002R-215P)

AGENCY: Alcohol and Tobacco Tax and Trade Bureau (TTB), Treasury.

ACTION: Final rule; Treasury decision.

SUMMARY: This Treasury decision establishes the Ribbon Ridge viticultural area in northern Yamhill County, Oregon. The new Ribbon Ridge viticultural area is entirely within the existing Willamette Valley viticultural area. We designate viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase.

DATES: *Effective Date:* July 1, 2005.

FOR FURTHER INFORMATION CONTACT: N. A. Sutton, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, 925 Lakeville St., # 158, Petaluma, CA 94952; telephone 415-271-1254.

SUPPLEMENTARY INFORMATION:

Background on Viticultural Areas

TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (the FAA Act, 27 U.S.C. 201 *et seq.*) requires that alcohol beverage labels provide the consumer with adequate information regarding a product's identity and prohibits the use of misleading information on such labels. The FAA Act also authorizes the Secretary of the Treasury to issue regulations to carry out its provisions. The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers these regulations.

Part 4 of the TTB regulations (27 CFR part 4) allows the establishment of definitive viticultural areas and the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) contains the list of approved viticultural areas.

Definition

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region distinguishable by geographical features, the boundaries of which have

been recognized and defined in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to its geographic origin. The establishment of viticultural areas allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of a viticultural area is neither an approval nor an endorsement by TTB of the wine produced in that area.

Requirements

Section 4.25(e)(2) of the TTB regulations outlines the procedure for proposing an American viticultural area and provides that any interested party may petition TTB to establish a grape-growing region as a viticultural area. Section 9.3(b) of the TTB regulations requires the petition to include—

- Evidence that the proposed viticultural area is locally and/or nationally known by the name specified in the petition;
- Historical or current evidence that supports setting the boundary of the proposed viticultural area as the petition specifies;
- Evidence relating to the geographical features, such as climate, soils, elevation, and physical features, that distinguish the proposed viticultural area from surrounding areas;
- A description of the specific boundary of the proposed viticultural area, based on features found on United States Geological Survey (USGS) maps; and
- A copy of the appropriate USGS map(s) with the proposed viticultural area's boundary prominently marked.

Ribbon Ridge Petition

The North Willamette Valley AVA Group petitioned TTB for the establishment of the "Ribbon Ridge" viticultural area in northern Yamhill County, Oregon. The 3,350-acre viticultural area is about 4 miles northwest of Dundee, 22 miles southwest of Portland, and 40 miles inland from the Pacific Ocean. The Ribbon Ridge viticultural area lies within the larger, established Willamette Valley viticultural area (27 CFR 9.90). As of 2002, the petitioned-for area contained 3 commercial wineries and 14 vineyards covering about 286 acres.

Geographically, Ribbon Ridge is a distinct, 3.5 mile long by 1.75-mile wide ridge separated from the surrounding mountains and hills on all sides by creek valleys. According to the petition,

the geographic isolation of Ribbon Ridge, its soils, and, to a lesser extent, its climate distinguish it from surrounding Willamette Valley grape-growing regions. Evidence supporting establishment of the Ribbon Ridge viticultural area is described below.

Name Evidence

Colby Carter, an early settler from Missouri, named Ribbon Ridge in 1865, and the ridge has been known by that name ever since. The first official use of the Ribbon Ridge name dates to 1888 with the creation of Ribbon Ridge School District No. 68. Built along Ribbon Ridge Road, which runs along the ridge's spine, the school operated from 1889 to about 1953. A reference to Ribbon Ridge also appears in the "Oregon Historical Quarterly," vol. XLIV, page 307, March-December 1943. It reads, "Ribbon Ridge is a spur in the southwest part of the Chehalem Mountains, about east of Yamhill. The top of the ridge twists like a ribbon, hence the name."

The USGS Dundee Quadrangle map and other commercial maps show "Ribbon Ridge" as the name of the ridge encompassed by the Ribbon Ridge viticultural area. The Dundee Quadrangle map also shows Ribbon Ridge Road running north and south along the spine of the ridge. In addition, a search of the U.S. Geological Survey's Geonames database (see <http://geonames.usgs.gov/>) shows "Ribbon Ridge" to be the name of the ridge encompassed by the viticultural area's boundary. This search also shows the site of the historic Ribbon Ridge School to be within the viticultural area's boundary.

Boundary Evidence

Ribbon Ridge is geographically distinct from the surrounding hills and mountains due to its topographic isolation. Creek valleys surround Ribbon Ridge on all sides, giving the ridge an "island-like" appearance as it rises above the Chehalem Valley floor, according to the petition. Two creeks, Ayres Creek in the north and Dopp Creek in the east, separate Ribbon Ridge from the Chehalem Mountains. Chehalem Creek separates Ribbon Ridge from the Coast Range to the west and from the Dundee Hills to the south.

A 10-mile long loop of county roads also surrounds Ribbon Ridge at or near its base. Beginning at the ridge's northern end, this loop follows Dopp Road south along the ridge's eastern side, and then follows North Valley Road along its southern and western sides, and after traveling east a short distance on Albertson Road, the loop is

closed along the ridge's northern side. Since these roads largely follow the base of Ribbon Ridge, the petitioners used these roads to help delineate the proposed viticultural area.

Local residents also view Ribbon Ridge as a distinct farming district, with its own mix of crops, separate from the adjoining Chehalem Valley, Kings Grade, and Rex Hills regions, according to the petition. Winegrowing activity began on Ribbon Ridge in 1980, with the planting of Ridgecrest Vineyards. The first commercial vineyard was established in 1982, with the planting of 54 acres of Pinot Noir and Chardonnay. Yamhill Valley Vineyards first used grapes from these vineyards in wine production in 1985. Vineyards and winery operations now own in excess of 700 total acres on Ribbon Ridge. Approximately 1,000 to 1,400 acres are suited for premium wine grape planting within the Ribbon Ridge viticultural area boundaries, the petition states.

Distinguishing Features

Geography

As noted above, creek valleys separate Ribbon Ridge from the higher, surrounding landmasses. The "island" of Ribbon Ridge, which extends southward from the Chehalem Mountains, rises to a maximum height of 683 feet from the 200-foot Chehalem Valley floor. Ayres Creek, which flows west then north, and Dopp Creek, which flows south, separate Ribbon Ridge from the Chehalem Mountains along, respectively, the ridge's north and east sides. On the western side of Ribbon Ridge, the Chehalem Creek valley separates the ridge from the Coast Range hillsides associated with the Yamhill-Carlton District viticultural area (27 CFR 9.183). After a gorge-like drop of 300 feet into the quarter-mile wide ravine of Chehalem Creek, the creek's valley widens at the southern foot of Ribbon Ridge into the broad, flat Chehalem Valley, separating the Chehalem Mountains and Ribbon Ridge from the Dundee Hills to the south.

Soils

Ribbon Ridge is a distinct geological formation of eastward-tilted, marine sedimentary strata that dates to the upper Eocene geological era and is unusual in having only two geological strata—the Keasey and Pittsburgh Bluff Formations. The ridge is ancient and stable, and the soils formed from the fine sedimentary parent materials are well weathered. Consequently the Ribbon Ridge viticultural area's soils are, on the average, deeper in profile and more finely structured than soils in

surrounding areas. The soils of Ribbon Ridge are relatively uniform, all being formed of fine-textured marine sediment (mainly Willakenzie series) at vineyard elevations, and neither slides nor erosion have significantly altered them.

The soils found within the Ribbon Ridge viticultural area differ from the alluvial sedimentary soils found the Chehalem Valley flood plain, and the area's soils also differ from the adjacent volcanic soils of the Chehalem Mountains and Dundee Hills. Finally, the Ribbon Ridge soils are related to, but have significant differences from, the marine sedimentary hillsides (mainly Willakenzie and Peavine series) to the west of the Chehalem Creek valley in the Yamhill-Carlton District viticultural area (27 CFR 9.183) in that they are younger, finer, and more uniform, due to finer parent materials of sandstone, siltstone, and mudstone.

Climate

Ribbon Ridge's "island-like" topography and the proximity of the surrounding, higher landmasses tend to shield and protect the proposed Ribbon Ridge viticultural area from many of the extremes that affect the other agricultural microclimates in the northern Willamette Valley. Low clouds tend to accumulate on the hilltops surrounding Ribbon Ridge, and fog settles on the valley floor in the early and late parts of the growing season. To the west, the Coast Range and Yamhill Mountains encourage weather systems to drop their moisture before reaching Ribbon Ridge and serve to block the severe winds of Pacific storms. To the north, the Chehalem Mountains, Bald Peak, and Portland Hill tend to protect the Ribbon Ridge viticultural area from Columbia Gorge and eastern Oregon weather systems, which deliver cold temperatures in the winter and heat or winds in the summer. To the south, the Dundee Hills shield Ribbon Ridge from the extreme winds that funnel coastal weather systems through the Van Duzer corridor, whether hot, cold, or wet in the summer or winter.

Ribbon Ridge's grape-growing hillsides are slightly warmer and drier when compared to valley floor sites within the northern Willamette Valley. These climatic differences are especially significant during the April to October grape-growing season. During that time, hillside warming is especially important in achieving grape ripening similar to that found at warm valley sites, but without the risk of frost or excess soil moisture. The ridge's hillsides have higher minimum (2–3° F) and maximum (2–7° F) daily temperatures during the early and late portions of the growing

season than do exposed valley floor sites. These moderate temperatures permit early growth in the spring, consistent and even ripening—with retention of acids—over the summer, and a long, full maturing season in the fall.

Ribbon Ridge's annual rainfall is less than that of other wine growing regions in the northern Willamette Valley. Annual precipitation on the protected hillsides of the Ribbon Ridge viticultural area is up to 10 inches (approximately 25 percent) less than that of nearby unprotected valley floor sites. Growing season precipitation within the Ribbon Ridge area is reduced even further, with 7.7 inches accumulating April through October, on average. This is approximately 35 percent less than the amount received at Coast Range and valley floor sites. Rainfall in the Ribbon Ridge area is also less than that of the nearby Yamhill-Carlton District (27 CFR 9.183) and Dundee Hills (27 CFR 9.180) viticultural areas.

Boundary Description

As proposed, the boundary of the Ribbon Ridge viticultural area followed a 9.85-mile loop of county roads around the base of the ridge, but the proposed regulatory text limited the viticultural area to land at or above 240 feet in elevation within that loop. Since the road loop largely follows the 200- to 240-foot base of Ribbon Ridge, we have revised the regulatory text to eliminate the 240-foot elevation restriction, slightly expanding the size of the viticultural area. The area now includes land below 240 feet along the western side of Dopp Road and a small area around the Lake View School south of Albertson Road. In addition, we have also revised the wording of the boundary description in the regulatory text for clarity, and we have revised the beginning point from the intersection of the 240-foot contour line and North Valley Road to the intersection of Albertson and Dopp Roads. For a complete description of the viticultural area's boundary, see the regulatory text published at the end of this notice.

Maps

The petitioner(s) provided the required maps, and we list them below in the regulatory text.

Notice of Proposed Rulemaking

TTB published a notice of proposed rulemaking, Notice No. 21, in the **Federal Register** on November 3, 2003 (68 FR 62259), regarding the establishment of the Ribbon Ridge viticultural area. In that notice, TTB

requested comments by January 2, 2004, from anyone interested. We received one supporting comment and no opposing comments.

After careful review, TTB finds that the evidence submitted with the petition supports the establishment of the proposed viticultural area. Therefore, under the authority of the Federal Alcohol Administration Act and part 4 of our regulations, we establish the "Ribbon Ridge" viticultural area in Yamhill County, Oregon, effective 60-days from this document's publication date.

Impact on Current Wine Labels

Part 4 of the TTB regulations prohibits any label reference on a wine that indicates or implies an origin other than the wine's true place of origin. With the establishment of this viticultural area and its inclusion in part 9 of the TTB regulations, its name, "Ribbon Ridge," is recognized as a name of viticultural significance. Consequently, wine bottlers using "Ribbon Ridge" in a brand name, including a trademark, or in another label reference as to the origin of the wine, must ensure that the product is eligible to use the viticultural area's name as an appellation of origin.

For a wine to be eligible to use as an appellation of origin the name of a viticultural area specified in part 9 of the TTB regulations, at least 85 percent of the grapes used to make the wine must have been grown within the area represented by that name, and the wine must meet the other conditions listed in 27 CFR 4.25(e)(3). If the wine is not eligible to use the viticultural area name as an appellation of origin and that name appears in the brand name, then the label is not in compliance and the bottler must change the brand name and obtain approval of a new label. Similarly, if the viticultural area name appears in another reference on the label in a misleading manner, the bottler would have to obtain approval of a new label.

Different rules apply if a wine has a brand name containing a viticultural area name that was used as a brand name on a label approved before July 7, 1986. See 27 CFR 4.39(i)(2) for details.

Regulatory Flexibility Act

We certify that this regulation will not have a significant economic impact on a substantial number of small entities. This regulation imposes no new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of a viticultural area name is the result of a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no

regulatory flexibility analysis is required.

Executive Order 12866

This rule is not a significant regulatory action as defined by Executive Order 12866 (58 FR 51735). Therefore, it requires no regulatory assessment.

Drafting Information

N. A. Sutton of the Regulations and Procedures Division drafted this document.

List of Subjects in 27 CFR Part 9

Wine.

The Regulatory Amendment

■ For the reasons discussed in the preamble, we amend 27 CFR, chapter 1, part 9 as follows:

PART 9—AMERICAN VITICULTURAL AREAS

■ 1. The authority citation for part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

Subpart C—Approved American Viticultural Areas

■ 2. Amend subpart C by adding § 9.182 to read as follows:

§ 9.182 Ribbon Ridge.

(a) *Name.* The name of the viticultural area described in this section is "Ribbon Ridge."

(b) *Approved Maps.* The appropriate maps used to determine the boundaries of the Ribbon Ridge viticultural area are the following two United States Geological Survey (USGS), 1:24,000 scale, topographical maps (7.5 minute series).

(1) Laurelwood Quadrangle, Oregon, 1956, photorevised 1978; and

(2) Dundee Quadrangle, Oregon, 1956, revised 1993.

(c) *Boundary.* The Ribbon Ridge viticultural area is located in northern Yamhill County, Oregon, northwest of the town of Dundee.

(1) The beginning point is on the Laurelwood Quadrangle map at the intersection of a light-duty road known locally as Albertson Road and Dopp Road (named on the Dundee map), just east of the Lake View School, section 58, T2S, R3W. From the beginning point, the boundary line—

(2) Continues south on Dopp Road for about 4.9 miles, crossing onto the Dundee map, to the road's intersection with North Valley Road, near the Erwin Young School, section 39, T3S, R3W (Dundee Quadrangle); then

(3) Continues west then north on North Valley Road for about 5 miles, crossing over to the Laurelwood map, to the road's intersection with Laughlin and Albertson Roads, just west of the Lake View School, section 58, T2S, R3W (Laurelwood Quadrangle); then

(4) Continues east on Albertson Road for about 0.2 miles and returns to the beginning point.

Signed: April 21, 2005.

John J. Manfreda,
Administrator.

Approved: May 11, 2005.

Timothy E. Skud,
Deputy Assistant Secretary (Tax, Trade, and
Tariff Policy).

[FR Doc. 05-10881 Filed 5-31-05; 8:45 am]

BILLING CODE 4810-31-P

DEPARTMENT OF THE INTERIOR

National Park Service

36 CFR Part 7

RIN 1024-AC96

Bighorn Canyon National Recreation Area, Personal Watercraft Use

AGENCY: National Park Service, Interior.

ACTION: Final rule.

SUMMARY: This rule designates areas where personal watercraft (PWC) may be used in Bighorn Canyon National Recreation Area, Montana and Wyoming. This rule implements the provisions of the National Park Service (NPS) general regulations authorizing park areas to allow the use of PWC by promulgating a special regulation. The NPS Management Policies 2001 require individual parks to determine whether PWC use is appropriate for a specific park area based on an evaluation of that area's enabling legislation, resources and values, other visitor uses, and overall management objectives.

DATES: Effective June 1, 2005.

ADDRESSES: Mail inquiries to Superintendent, Bighorn Canyon NRA, P.O. Box 7458, Fort Smith, MT 59035 or e-mail to bica@den.nps.gov.

FOR FURTHER INFORMATION CONTACT: Jerry Case, Regulations Program Manager, National Park Service, 1849 C Street, NW., Room 7241, Washington, DC 20240. Phone: (202) 208-4206. E-mail: Jerry_Case@nps.gov.

SUPPLEMENTARY INFORMATION:

Background

Personal Watercraft Regulation

On March 21, 2000, the National Park Service published a regulation (36 CFR

3.24) on the management of personal watercraft (PWC) use within all units of the national park system (65 FR 15077). This regulation prohibits PWC use in all national park units unless the NPS determines that this type of water-based recreational activity is appropriate for the specific park unit based on the legislation establishing that park, the park's resources and values, other visitor uses of the area, and overall management objectives. The regulation banned PWC use in all park units effective April 20, 2000, except 21 parks, lakeshores, seashores, and recreation areas. The regulation established a 2-year grace period following the final rule publication to provide these 21 park units time to consider whether PWC use should be allowed.

Description of Bighorn Canyon National Recreation Area

Bighorn Canyon National Recreation Area was established by an act of Congress on October 15, 1966, following the construction of the Yellowtail Dam by the Bureau of Reclamation. This dam, named after the famous Crow chairman Robert Yellowtail, harnessed the waters of the Bighorn River and turned this variable stream into a lake. The most direct route to the southern end of Bighorn Canyon NRA is via Montana State road 310 from Billings, Montana, or U.S. Highway 14A from Sheridan, Wyoming.

Bighorn Lake extends approximately 60 miles through Wyoming and Montana, 55 miles of which are held within Bighorn Canyon. The Recreation Area is composed of more than 70,000 acres of land and water, which straddle the northern Wyoming and southern Montana borders. There are two visitor centers and other developed facilities in Fort Smith, Montana, and near Lovell, Wyoming. The Afterbay Lake below the Yellowtail Dam is a good spot for trout fishing and wildlife viewing for ducks, geese, and other animals. The Bighorn River below the Afterbay Dam is a world class trout fishing area.

Purpose of Bighorn Canyon National Recreation Area

The purpose and significance statements listed below are from Bighorn Canyon's Strategic Plan and Master Plan. Bighorn Canyon National Recreation Area was established to:

1. Provide for public outdoor recreation use and enjoyment of Bighorn Lake (also referred to as Yellowtail Reservoir) and lands adjacent thereto within the boundary of the National Recreation Area on NPS lands.

2. Preserve the scenic, scientific, and historic features contributing to public enjoyment of such lands and waters.

3. Coordinate administration of the recreation area with the other purposes of the Yellowtail Reservoir project so that it will best provide for: (1) Public outdoor recreation benefits, (2) preservation of scenic, scientific, and historic features contributing to public enjoyment, and (3) management, utilization, and disposal of renewable natural resources that promotes or is compatible with and does not significantly impair public recreation or scenic, scientific, or historic features contributing to public enjoyment.

Significance of Bighorn Canyon National Recreation Area

Bighorn Canyon National Recreation Area is significant for the following reasons:

1. The outstanding scenic and recreational values of the 60-mile long, 12,700 acre Bighorn Lake.

2. The history of over 10,000 years of continuous human habitation.

3. The contribution the recreation area is making to the preservation of wild horses on the Pryor Mountain Wild Horse Range, of which one-third is located within the recreation area, as well as the preservation of a Bighorn sheep herd that repatriated the area in the early 1970s.

4. The 19,000 acre Yellowtail Wildlife Habitat, which preserves one of the best examples of a Cottonwood Riparian area remaining in the western United States.

Authority and Jurisdiction

Under the National Park Service's Organic Act of 1916 (Organic Act) (16 U.S.C. 1 *et seq.*) Congress granted the NPS broad authority to regulate the use of the Federal areas known as national parks. In addition, the Organic Act (16 U.S.C. 3) allows the NPS, through the Secretary of the Interior, to "make and publish such rules and regulations as he may deem necessary or proper for the use and management of the parks * * *"

16 U.S.C. 1a-1 states, "The authorization of activities shall be conducted in light of the high public value and integrity of the National Park System and shall not be exercised in derogation of the values and purposes for which these various areas have been established * * *"

As with the United States Coast Guard, NPS's regulatory authority over waters subject to the jurisdiction of the United States, including navigable waters and areas within their ordinary reach, is based upon the Property and Commerce Clauses of the U.S.

Constitution. In regard to the NPS, Congress in 1976 directed the NPS to “promulgate and enforce regulations concerning boating and other activities on or relating to waters within areas of the National Park System, including waters subject to the jurisdiction of the United States * * *” (16 U.S.C. 1a–2(h)). In 1996 the NPS published a final rule (61 FR 35136, July 5, 1996) amending 36 CFR 1.2(a)(3) to clarify its authority to regulate activities within the National Park System boundaries occurring on waters subject to the jurisdiction of the United States.

PWC Use at Bighorn Canyon National Recreation Area

Personal watercraft use on Bighorn Lake began during the early 1990s. During 2001, personal watercraft comprised approximately 5% of the boat use on Bighorn Lake. Before the ban was imposed in November 2002, personal watercraft were allowed to operate throughout the national recreation area, but most personal watercraft use occurred at the north end of the lake in the vicinity of Ok-A-Beh Marina. The primary use season is mid-May through mid-September. During the other months the water is generally too cold for PWC use.

Bighorn Canyon has two marinas: Horseshoe Bend and Ok-A-Beh. Both provide gas, rental docks, food, and boater supplies, typically from Memorial Day through Labor Day. Personal watercraft (before the ban) and other watercraft could also enter the lake at Barry’s Landing, which has a launching ramp but no marina. Primitive access to the lake is available at the causeway, and access to the Bighorn and Shoshone Rivers is available throughout the Yellowtail Wildlife Habitat. Watercraft may be launched at the Afterbay launch ramp and on the river at the Afterbay and Three-Mile access areas.

Personal watercraft (before the ban) and other watercraft are piloted over the main surface of the lake, along the lakeshore, and in coves and back bays. Boaters may camp at one of the national recreation area’s 156 developed campsites or at one of nearly 30 primitive campsites.

No surveys have been conducted regarding the operating hours of personal watercraft at Bighorn Canyon National Recreation Area, though most personal watercraft probably operate between the hours of dawn to dusk. There are currently no State regulations regarding hours of operation in either Montana or Wyoming. Due to the narrowness of Bighorn Lake, most watercraft activity, including use of

personal watercraft before the ban, occurs in the several wide sections of the lake, or watercraft traverse back and forth across the lake. Some thrill-seeking activity by personal watercraft users did occur.

Before the ban on PWC use, PWC use was such a small percentage of the overall boating use within Bighorn Canyon that accidents involving PWC operators varied greatly from year to year. Two accidents were recorded at Bighorn Canyon National Recreation Area during the 2000 and 2001 seasons. Both accidents were attributed to the operators’ inexperience in operating personal watercraft, allowing them to run into other vessels. Statistics for other vessel accidents per year are similar.

Complaints regarding misuse of personal watercraft are infrequent, and the most commonly reported are wakes in the flat-wake zones near boat launch areas. Bighorn Canyon National Recreation Area has issued citations under Montana and Wyoming State law to personal watercraft users for acts such as wake jumping, under-age riding, and failing to wear flotation devices. The most common citation has been for under-age riding. Montana State law requires riders age 13 and 14 to have a certificate, and riders 12 and younger must be accompanied by an adult. Wyoming State law requires riders to be 16 years old.

Notice of Proposed Rulemaking and Environmental Assessment

On May 5, 2004, the National Park Service published a Notice of Proposed Rulemaking (NPRM) for the operation of PWC at Bighorn Canyon National Recreation Area (NRA) (69 FR 25043). The proposed rule for PWC use was based on alternative B in the Environmental Assessment (EA) prepared by NPS for Bighorn Canyon NRA. The EA was available for public review and comment from June 9, 2003, through July 11, 2003, and the NPRM was available for public comment from May 5, 2004, through July 6, 2004.

The purpose of the EA was to evaluate a range of alternatives and strategies for the management of PWC use at Bighorn Canyon to ensure the protection of park resources and values while offering recreational opportunities as provided for in the National Recreation Area’s enabling legislation, purpose, mission, and goals. The assessment assumed alternatives would be implemented beginning in 2002 and considered a 10-year period, from 2002 to 2012. The assessment also compared each alternative to PWC use before November

7, 2002, when the service-wide closure took effect.

The EA evaluated three alternatives addressing the use of personal watercraft at Bighorn Canyon National Recreation Area. Alternative A reinstates PWC use under those restrictions that applied to PWC use before November 7, 2002, as defined in the park’s Superintendent’s Compendium. Alternative B manages PWC use by imposing management prescriptions in addition to those restrictions in effect before November 7, 2002. In addition to those areas closed to PWC use in alternative A, alternative B includes a closure of the Bighorn Lake and shoreline south of the area known as the South Narrows. Bighorn Canyon National Recreation Area would also install buoys to delineate this boundary and personal watercraft users would be required to stay north of this boundary. Under alternative B, Bighorn Canyon would also establish a PWC user education program implemented through vessel inspections, law enforcement contacts, and signing. In addition to alternatives A and B, the National Park Service considered a no-action alternative that takes no action to reinstate the use of personal watercraft at Bighorn Canyon National Recreation Area. Under this alternative, NPS would continue the ban on personal watercraft use at Bighorn Canyon National Recreation Area begun in November 2002.

Based on the analysis, NPS determined that alternative B is the park’s preferred alternative because it best fulfills the park responsibilities as trustee of the sensitive habitat; ensures safe, healthful, productive, and aesthetically and culturally pleasing surroundings; and attains a wider range of beneficial uses of the environment without degradation, risk of health or safety, or other undesirable and unintended consequences. This final rule contains regulations to implement alternative B at Bighorn Canyon National Recreation Area.

Summary of Comments

A proposed rule was published for public comment on May 5, 2004, with the comment period lasting until July 6, 2004. The National Park Service received 2,550 timely written responses regarding the proposed regulation. Of the responses, 2,486 were form letters in 4 different formats, and 64 were separate letters. Of the 64 separate letters, 56 were from individuals, 5 from organizations, and 3 from government agencies. Within the following discussion, the term “commenter” refers to an individual, organization, or public

agency that responded. The term "comments" refers to statements made by a commenter.

General Comments

1. Bluewater Network stated that the Environmental Assessment (EA) failed to use the best data available and picked Alternative B without adequate scientific justification.

NPS Response: Where data was lacking, best professional judgment prevailed using assumptions and extrapolations from scientific literature, other park units where personal watercraft are used, and personal observations of park staff. The NPS believes that the EA is in full compliance with National Environmental Policy Act (NEPA) and that the Findings of No Significant Impacts (FONSI) shows Alternative B (continued PWC use with restrictions) as the Preferred Alternative and that decision has been adequately analyzed and explained.

2. Several commenters stated that allowing PWC use with additional restrictions violates the park's enabling legislation and NPS mandate to protect resources from harm.

NPS Response: NPS analysis of PWC use has found that the use is appropriate and consistent with the Bighorn Canyon National Recreation Area's enabling legislation. The authorizing legislation for Bighorn Canyon was considered when developing alternatives for the EA. The objective of the EA, as described in the "Purpose and Need" chapter, was derived from the enabling legislation for Bighorn Canyon. The recreation area's enabling legislation also states that the "Secretary shall administer Bighorn Canyon National Recreation Area for general purposes of public outdoor recreation." The recreation area was established as a unit of the national park system. The goal of the national recreation area is to provide each visitor with an educational, enjoyable, safe and memorable experience.

As a result, the alternatives presented in the EA protect resources and values while providing recreational opportunities at Bighorn Canyon National Recreation Area. As required by NPS policies, the impacts associated with personal watercraft and other recreational uses are evaluated under each alternative to determine the potential for impairment to park resources. Implementation of Alternative B in the final rule will not result in impairment of park resources and values for which the Bighorn Canyon National Recreation Area was established.

3. One commenter stated the analysis did not adequately consult with and seek the expertise of various agencies, which appears to violate the NPS' PWC regulations.

NPS Response: The final PWC regulation published by the NPS in March 2000 indicates that we intend to seek the expertise of the U.S. Environmental Protection Agency (EPA), OSHA and other relevant agencies and literature when deciding whether to allow continued PWC use in units of the National Park System. The EA references EPA and OSHA regulations and studies throughout.

We sent out 68 letters to other Federal, State, local agencies including U.S. Fish and Wildlife, Wyoming Game and Fish Department, Montana Fish Wildlife and Parks, Bureau of Reclamation, Wyoming Department of Environmental Quality, Montana Department of Environmental Quality (the State agencies charged with application of EPA regulations in Wyoming and Montana), Bighorn National Forest, Gallatin National Forest, Bureau of Land Management, U.S. Environmental Protection Agency, U.S. Department of the Army Corps of Engineers, Wyoming State Historic Preservation Office, Montana State Historic Preservation Office, Crow Indian tribe, The Wilderness Society, American Watercraft Association, National Parks Conservation Association-Northern Rockies Regional Office, Zoo Montana Science and Conservation Center, Big Horn Mountain Country Coalition, State and Federal representatives and senators, and multiple Chambers of Commerce. We have met the requirements for consultation as well as the intent of the March 2000 PWC regulations.

4. Several commenters stated that the decision violates the Organic Act and will result in the impairment of resources.

NPS Response: The "Summary of Laws and Policies" section in the "Environmental Consequences" chapter of the PWC Use EA summarizes the three overarching laws that guide the National Park Service in making decisions concerning protection of park resources. These laws, as well as others, are also reflected in the NPS Management Policies. An explanation of how the National Park Service applied these laws and policies to analyze the effects of personal watercraft on Bighorn Canyon National Recreation Area resources and values can be found under "Impairment Analysis" in the "Methodology" section of that chapter.

An impairment to a particular park resource or park value must rise to the

magnitude of a major impact, as defined by its context, duration, and intensity and must also affect the ability of the National Park Service to meet its mandates as established by Congress in the park's governing legislation.

"Impairment" is clearly defined in the EA (page 83) and is the most severe of the five potential impact categories. The other impact categories starting with the least severe are: negligible, minor, moderate, and major. For each resource topic, the EA establishes thresholds or indicators of magnitude of impact. An impact approaching a "major" level of intensity is one indication that impairment could result. For each impact topic, when the intensity approached "major," the park would consider mitigation measures to reduce the potential for "major" impacts, thus reducing the potential for impairment.

The National Park Service has determined that under the final rule implementing the preferred alternative, Alternative B, there will be no negative impacts on park resources or values, nor impairment of any park resources or values for which the Bighorn Canyon National Recreation Area was established.

5. Several commenters stated that the proposed restrictions under Alternative B discriminate against PWC because Alternative B regulates PWC use on Bighorn Lake more restrictively than other motorized vessels without any reasonable justification.

NPS Response: The EA was written in response to a lawsuit by Bluewater Network and the subsequent settlement agreement regarding the appropriateness of PWC use within the National Park System. The objective of the Environmental Assessment, as described in the "Purpose and Need" Chapter, was to evaluate a range of alternatives and strategies for the management of PWC use in order to ensure the protection of park resources and values, while offering recreational opportunities as provided in the enabling legislation, purpose, mission, and goals. A special analysis on the management of personal watercraft was provided under each alternative to meet the terms of the settlement agreement between the Bluewater Network and the NPS. The plan was designed to determine if PWC use, not motorized boat use in general, was consistent with the park's enabling legislation and management goals and objectives.

6. The U.S. EPA suggested that PWC in the NRA be limited to 4-stroke engines, which will be the best way to meet NPS management policies for protection of air, natural soundscapes, and for the use of motorized equipment.

NPS Response: Impacts on water and air from PWC use are discussed in the EA on pages 76 to 100, and are negligible to minor for Alternative B. Impacts on soundscapes, discussed on pages 100 to 108, are negligible to moderate for Alternative B. PWC use at Bighorn Canyon is small, and limiting the use to only 4-stroke engines would not appreciably affect air, water or soundscape resources.

Comments Regarding Air Quality

7. One commenter stated that the analysis failed to mention the impact of PWC permeation losses on local air quality.

NPS Response: Permeation losses of volatile organic compounds (VOCs) from personal watercraft were not included in the calculation of air quality impacts primarily because these losses are insignificant relative to emissions from operating watercraft. Using the permeation loss numbers in the comment (estimated to be half the total of 7 grams of losses per 24 hours from the fuel system), the permeation losses per hour are orders of magnitude less than emissions from operating personal watercraft. Therefore, including permeation losses would have no effect on the results of the air quality impact analyses. Also, permeation losses were not included because of numerous related unknown contributing factors such as the number of personal watercraft refueling at the reservoir and the location of refueling (inside or outside of the airshed).

8. One commenter stated that the use of air quality data from Cody, Wyoming, and Billings, Montana, some 50 miles and 90 miles from Bighorn Canyon NRA, in the analysis does not provide the best representation of air quality at the lake.

NPS Response: The Cody and Billings monitoring stations are the closest air quality monitoring sites to the study area. The data from these sites were discussed in the EA; however, these data were not used in the impact analysis. The analysis was based on the results of an EPA air emissions model, which used estimated PWC and boat usage at Bighorn Canyon NRA as inputs.

9. One commenter expressed concern that PWC emissions were declining faster than forecasted by the EPA. As the Sierra Report documents, in 2002, hydrocarbon (HC) and nitrogen oxides (NO_x) emissions from the existing fleet of PWC were already 23% lower than they were before the EPA regulations became effective, and will achieve reductions greater than 80% by 2012.

NPS Response: The U.S. EPA's data incorporated into the 1996 Spark

Ignition Marine Engine rule were used as the basis for the assessment of air quality, and not the Sierra Research data. It is agreed that these data show a greater rate of emissions reductions than the assumptions in the 1996 Rule and in the EPA's NONROAD Model, which was used to estimate emissions. However, the level of detail included in the Sierra Research report has not been carried into the EA for reasons of consistency and conformance with the model predictions. Most States use the EPA's NONROAD Model for estimating emissions from a broad array of mobile sources. To provide consistency with State programs and with the methods of analysis used for other similar NPS assessments, the NPS has elected not to base its analysis on focused research such as the Sierra Report for assessing PWC impacts.

It is agreed that the Sierra Research report provides data on "worst case" scenarios. However worst case or short-term scenarios were not analyzed for air quality impacts in this or other NPS EAs.

It is agreed that the relative quantity of HC and NO_x are a very small proportion of the county based emissions and that this proportion will continue to be reduced over time. The EA takes this into consideration in the analysis.

California Air Resources Board (CARB) certified PWCs may be used, however the degree of certainty of overall use of this engine type nationwide is not well established. For consistency and conformity in approach, the NPS has elected to rely on the assumptions in the 1996 Spark Ignition Engine Rule which are consistent with the widely used NONROAD emissions estimation model. The outcome is that estimated emissions from combusted fuel may be in the conservative range, if compared to actual emissions.

10. Several commenters stated that research indicated that direct-injection 2-stroke engines are dirtier than 4-stroke engines.

NPS Response: It is agreed that two-stroke carbureted and two-stroke DI engines generally emit greater amounts of pollutants than four-stroke engines. Only 4 of the 20 PAHs included in the analyses were detected in water: naphthalene, 2-methylnaphthalene, fluorene, and acenaphthylene. Some pollutants (benzene, toluene, ethylbenzene, and xylene, collectively referred to as BTEX, and formaldehyde) were reported by CARB in the test tanks after 24 hours at approximately 50% the concentrations seen immediately following the test. No results for PAH

concentrations after 24 hours were seen in the CARB (2001) results, but a discussion of sampling/analyses of PAHs in the six environmental compartments was presented.

EPA NONROAD model factors differ from those of CARB. As a result of the EPA rule requiring the manufacturing of cleaner PWC engines, the existing carbureted 2-stroke PWC will, over time, be replaced with PWC with less-polluting models. This replacement, with the anticipated resultant improvement in air quality, is parallel to that experienced in urban environments as the automobile fleet becomes cleaner over time.

Regarding the rate of evaporation of gasoline constituents, data provided in CARB (2001), EPA (2001), and Verschuren (1983) do not support the contention in the comment that "most of the unburned gasoline and gasoline additives * * * evaporate from water within the first hour and 15 minutes after they are released." In CARB (2001), the observation was made that at least 70% of the contaminant concentrations remained in the water 2 hours after running the engines. In most cases, often 40% or more of the concentration was still present the following day. The loss rate observed by CARB (2001) is supported by the EPA (2001) and Verschuren (1983) volatilization rate for benzene. These two sources give the half-life of benzene as approximately 5 hours at a water temperature of 30 degrees C. This estimate of the benzene half-life was considered in evaluation of the threshold volumes calculated for benzene.

Comments Regarding Water Quality

11. One commenter stated that the analysis disregarded or overlooked relevant research regarding impacts to water quality from PWC use as well as the impact to downstream resources and long term site specific water quality data on PWC pollutants.

NPS Response: The EA states that in 2002 impacts to water quality from PWC on a high-use day would be negligible for all chemicals evaluated based on ecological and human health benchmarks and for benzo(a)pyrene based on human health benchmarks. The EA states that in 2012, impacts would also be negligible based on all ecological and human health benchmarks. Impacts to water quality downstream from the lake are not expected to be more severe when the environmental processes affecting concentrations of organics (e.g., evaporation, dilution, deposition) are considered.

12. One commenter stated that the analysis represents an outdated look at potential emissions from an overstated PWC population of conventional 2-stroke engines, and underestimates the accelerating changeover to 4-stroke and newer 2-stroke engines. The net effect is that the analysis overestimates potential PWC hydrocarbon emissions, including benzene and polyaromatic hydrocarbons (PAHs), to the water in Bighorn Lake. In addition, the water quality analysis uses assumptions that result in overestimation of potential PWC hydrocarbon emission to the water in Bighorn Lake. For example, the analysis states that benzo(a)pyrene concentrations in gasoline can be "up to 2.8 mg/kg."

NPS Response: Assumptions regarding PWC use (5 per day in 2002 and 6 per day in 2012) were based on actual count data from the month of July 2002. PWC use at other times of the year ranged from 0 to 4 PWC per day. Data for the years 2001 and 2002 were the only data available for Bighorn Canyon (EA, page 75). Because data from other years were not available, trends in PWC use at Bighorn Canyon could not be determined for use in the EA. The July 2002 data can be considered a "worst case" estimate, but it is not "unrealistic" since it is based on actual Bighorn Canyon data. Despite these conservative estimates, impacts to water quality from personal watercraft are judged to be negligible for all alternatives evaluated. Cumulative impacts from personal watercraft and other outboard motorboats are expected to be negligible. If the assumptions used were less than conservative, the conclusions could not be considered protective of the environment, while still being within the range of expected use.

The NPS recognizes that the assumption of all personal watercraft using 2-stroke engines in 2002 is conservative but believes it was appropriate to be protective of park resources. The assumption is consistent with emission data available in CARB (1998) and Bluewater Network (2001). The emission rate of 3 gallons per hour at full throttle is a mid-point between 3 gallons in two hours (1.5 gallons per hour; NPS 1999) and 3.8 to 4.5 gallons per hour for an average 2000 model year personal watercraft (Personal Watercraft and Bluewater Network 2001). The assumption also is reasonable in view of the initiation of production line testing in 2000 (EPA 1997) and expected full implementation of testing by 2006 (EPA 1996).

Reductions in emissions used in the water quality impact assessment are in

accordance with the overall hydrocarbon emission reduction projections published by the EPA (1996). EPA (1996) estimates a 52% reduction by personal watercraft by 2010 and a 68% reduction by 2015. The 50% reduction in emissions by 2012 (the future date used in the EA) is a conservative interpolation of the emission reduction percentages and associated years (2010 and 2015) reported by the EPA (1996) but with a one-year delay in production line testing (EPA 1997).

The estimate of 2.8 mg/kg for benzo(a)pyrene in gasoline used in the calculations is considered conservative, yet realistic, since it is within the range of concentrations measured in gasoline, according to Gustafson *et al.* (1997).

Comments Regarding Wildlife and Threatened and Endangered Species

13. One commenter stated that the analysis lacked site-specific data for impacts to wildlife, fish, and threatened and endangered species at Bighorn Lake.

NPS Response: The scope of the EA did not include the conduct of site-specific studies regarding potential effects of PWC use on wildlife species at Bighorn Lake National Recreation Area. Analysis of potential impacts of PWC use on wildlife at the national recreation area was based on best available data, input from park staff, and the results of analysis using that data. The EA still includes a thorough analysis of impacts on wildlife and threatened and endangered species using this approach.

14. One commenter stated that PWC use and human activities associated with their use may not be any more disturbing to wildlife species than any other type of motorized or non-motorized watercraft. The commenter cites research by Dr. James Rodgers of the Florida Fish and Wildlife Conservation Commission, whose studies have shown that PWC are no more likely to disturb wildlife than any other form of human interaction. PWC posed less of a disturbance than other vessel types. Dr. Rodgers' research clearly shows that there is no reason to differentiate PWC from motorized boating based on claims on wildlife disturbance.

NPS Response: We agree that some research indicates that personal watercraft are no more apt to disturb wildlife than are small outboard motorboats; however, disturbance from both PWC and outboard motor boats does occur. Dr. Rogers recommends that buffer zones be established, creating minimum distances between boats

(personal watercraft and outboard motorboats) and nesting and foraging waterbirds. Under Alternative B, the area south of the South Narrows will be closed to PWC use, but there will be no other shoreline restrictions related to wildlife and wildlife habitat. "No-wake" speeds must be maintained when within 200 feet of a dock, swimmer, swimming raft, non-motorized boat or anchored vessel in Montana, and within 100 feet in Wyoming. Impacts to wildlife and wildlife habitat under all the alternatives were judged to be negligible to moderate from all visitor activities.

Comments Regarding Soundscapes

15. One commenter stated that continued PWC use in the Bighorn Canyon NRA will not result in sound emissions that exceed the applicable Federal or State noise abatement standards, and technological innovations by the PWC companies will continue to result in substantial sound reductions.

NPS Response: The NPS concurs that on-going and future improvements in engine technology and design would likely further reduce the noise emitted from PWC. However, given the low level of PWC use, a reduction in ambient noise levels in the recreation area is unlikely even with improved technology and would unlikely reduce impacts beyond minor to moderate through out the recreation area.

16. One commenter stated that the NPS places too much hope in new technologies significantly reducing PWC noise since there is little possibility that the existing fleet of more than 1.1 million machines (most of which are powered by conventional two-stroke engines) will be retooled to reduce noise. This commenter was also concerned that the conclusions of relevant PWC noise studies, such as Drowning in Noise, Noise Costs of PWC in America, were disregarded.

NPS Response: The analysis of the preferred alternative states that noise from PWC would continue to have minor to moderate, temporary adverse impacts, and that impact levels would be related to number of PWC and sensitivity of other visitors. This recognizes that noise will occur and will bother some visitors, but site-specific modeling was not needed to make this assessment. The availability of noise reduction technologies is also growing, and we are not aware of any scientific studies that show these technologies do not reduce engine noise levels. Also, the analysis did not rely heavily on any future noise reduction technology. It recognizes that the noise from the operation of PWC will always vary,

depending on the speed, manner of use, and wave action present.

Although PWC use does occur throughout the lake, it is concentrated more in certain areas, and this is noted in the soundscapes impact analysis that follows the introductory statements and assumptions listed on page 105 of the EA. The analysis of impacts states that "minor adverse impacts would occur at times and places where use is infrequent and distanced from other park users, for example, as PWC users operated far from shore. Moderate adverse impacts would occur at landings on the lake on days of relatively consistent PWC operation with more than one PWC operating at one time. Moderate adverse impacts would occur from highly concentrated PWC use in one area and in areas where PWC noise is magnified off the surrounding cliffs." The analysis did not assume even distribution of PWC and predicted moderate impacts from concentrated PWC use in one area.

The noise annoyance costs in the "Drowning in Noise" study are recognized in the EA by the moderate impacts predicted, although no monetary costs are assigned. These costs would vary by type and location of user. Given the intended usage of the higher use marina/beach areas of Bighorn Canyon and visitor expectations and tolerances at these areas, it is unlikely that the PWC noise experienced there would meet the definition of "major" impact, as defined in the EA.

Comments Regarding Cultural Resources

17. One commenter stated that the analysis refers to a potential concern that the ability of PWC operators to access remote areas of the park unit might make certain cultural, archeological and ethnographic sites vulnerable to looting or vandalism. However, there is no indication of any instances where these problems have occurred. Nor is there any reason to believe that PWC users are any more likely to pose these concerns than canoeists, kayakers, hikers, or others who might access these same areas.

NPS Response: The EA was focused on the analysis of impacts from PWC use. PWC can make it easier to reach some remote upstream areas, compared to hiking to these areas, but we agree that the type of impacts to cultural resources from any users of remote areas of the park would be similar if they can reach these areas.

Comments Associated With Safety

18. One commenter stated that the accident data used in the analysis was

outdated and incorrect because PWC accidents are reported more often than other boating accidents. Further, there have been few PWC accidents reported in the Bighorn Canyon NRA.

NPS Response: The mediating factors described in the comment are recognized. However, these factors are unlikely to fully explain the large difference in percentages (personal watercraft are only 7.5% of nationally registered vessels, yet they are involved in 36% of reported accidents). In other words, personal watercraft are 5 times more likely to have a reportable accident than are other boats. This difference is even more significant when canoes and kayaks, which are not required to be registered but are included in the total number of accidents, are considered. Despite these national boating accident statistics, impacts of PWC use and visitor conflicts are judged to be negligible relative to swimmers and minor relative to other motorboats at the national recreation area.

Incidents involving watercraft of all types, including personal watercraft, are reported to and logged by National Park Service staff. A very small proportion of incidents in the recreation area are estimated to go unreported.

19. One commenter stated that there was no discussion regarding PWC fire and explosion hazards. According to the U.S. Coast Guard, the PWC industry has recalled more than 280,000 watercraft over the past ten years with production/design problems that could lead to fires and explosions.

NPS Response: According to the National Marine Manufacturers Association, PWC manufacturers have sold roughly 1.2 million watercraft during the last ten years. Out of 1.2 million PWC sold the U.S. Coast Guard had only 90 reports of fires/explosions in the years from 1995–1999. This is less than 1% of PWC boats having reports of problems associated with fires/explosions. As far as the recall campaigns conducted by Kawasaki and Bombardier, the problems that were associated with fuel tanks were fixed. Kawasaki conducted a recall for potentially defective fuel filler necks and fuel tank outlet gaskets on 23,579 PWCs from the years 1989 and 1990. The fuel tank problems were eliminated in Kawasaki's newer models, and the 1989 and 1990 models are most likely not in use anymore since life expectancy of a PWC is only five to seven years, according to PWIA. Bombardier also did a recall for its 1993, 1994, and 1995 models to reassess possible fuel tank design flaws. However, the number of fuel tanks that

had to be recalled was a very small percent of the 1993, 1994, and 1995 fleets because fuel tank sales only amounted to 2.16% of the total fleet during this period (Bombardier Inc.). The replacement fuel tanks differed from those installed in the watercraft subject to the recall in that the replacement tanks had revised filler neck radiuses, and the installation procedure now also requires revised torque specifications and the fuel system must successfully complete a pressure leak test. Bombardier found that the major factor contributing to PWC fires/explosions was over-torquing of the gear clamp. Bombardier was legally required by the U.S. Coast Guard to fix 9.72% of the recalled models. Out of 125,349 recalls, the company repaired 48,370 units, which were approximately 38% of the total recall, far exceeding its legal obligation to repair units with potential problems.

Further fuel tank and engine problems that could be associated with PWC fires have been reduced significantly since the National Marine Manufacturers Association (NMMA) set requirements for meeting manufacturing regulations established by the U.S. Coast Guard. Many companies even choose to participate in the more stringent Certification Program administered by the NMMA. The NMMA verifies annually, or whenever a new product is put on the market, boat model lines to determine that they satisfy not only the U.S. Coast Guard Regulations but also the more rigorous standards based on those established by the American Boat and Yacht Council.

Comments Related to Visitor Experience and Satisfaction

20. One commenter stated that several of the restrictions under Alternative B, such as the PWC-only exclusion zone south of the South Narrows and the PWC-user education program discriminate without any justification against PWC users.

NPS Response: The EA was designed to determine if personal watercraft use was consistent with the park's enabling legislation and management goals and objectives, not to determine if these restrictions should also apply to boats. That analysis must be completed as part of a separate EA.

21. One commenter is concerned that PWC operators are not being cited for violating regulations.

NPS Response: Park officials have issued citations under Montana and Wyoming state law to PWC users for acts such as wake jumping, under-age riding, and failing to wear flotation devices. Due to the size and

configuration of the lake, and the fact that PWC comprise only approximately 4% of the boat use on Bighorn Lake, it is unlikely that a visitor would witness a PWC operator being cited for a violation.

Comments Regarding Socioeconomics

22. One commenter is concerned that a PWC ban would have severe economic effects on the local economies surrounding the NRA, which receive their livelihoods from PWC users as well as other recreationalists.

NPS Response: The economic analysis evaluated the socioeconomic impact of each alternative. NPS anticipates that the final rule implementing Alternative B will actually increase benefits to local businesses compared to the baseline of continuing the PWC ban. Increased benefits to local businesses from this alternative are estimated between \$33,110 and \$156,300 per year. These increased benefits will result from the permitted PWC use under this alternative.

Comments Regarding Consultation and Coordination

23. The U.S. EPA commented that the rule is unclear about the Crow Indian Tribe's comments or reservations about the action, and if there was any consultation with the Tribe.

NPS Response: The Crow Tribe received a copy of the EA in August 2003. Although no written comments were received from the tribe, Bighorn Canyon staff had conversations with the tribe about the project, and no issues were raised.

Summary of Economic Impacts

Alternative A would permit PWC use as previously managed within the park before the November 7, 2002, ban, while Alternative B would permit PWC use with additional management strategies. Alternative B is the preferred alternative, and includes a closure of the reservoir and shoreline south of the area known as the South Narrows, and a PWC user education program implemented through vessel inspections, law enforcement contacts, and signing. Alternative C is the no

action alternative and represents the baseline conditions for this economic analysis. Under that alternative, the November 7, 2002, ban would be continued. All benefits and costs associated with Alternatives A and B are measured relative to that baseline.

The primary beneficiaries of Alternatives A and B would be the park visitors who use PWCs and the businesses that provide services to PWC users such as rental shops, restaurants, gas stations, and hotels. Additional beneficiaries include individuals who use PWCs outside the park due to the November 7, 2002 ban. Over a ten-year horizon from 2003 to 2012, the present value of benefits to PWC users is expected to range between \$540,900 and \$693,650, depending on the alternative analyzed and the discount rate used. The present value of benefits to businesses over the same timeframe is expected to range between \$27,420 and \$210,640. These benefit estimates are presented in Table 1. The amortized values per year of these benefits over the ten-year timeframe are presented in Table 2.

TABLE 1.—PRESENT VALUE OF BENEFITS FOR PWC USE IN BIGHORN CANYON NATIONAL RECREATION AREA, 2003–2012
[2001 \$]^a

| | PWC users | Businesses | Total |
|-------------------------------------|-----------|-----------------------------|-------------------------|
| Alternative A: | | | |
| Discounted at 3% ^b | \$693,650 | \$36,980 to \$210,640 | \$730,630 to \$904,290. |
| Discounted at 7% ^b | 569,370 | \$29,230 to \$166,440 | \$598,600 to \$735,810. |
| Alternative B: | | | |
| Discounted at 3% ^b | 658,960 | \$34,700 to \$196,470 | \$693,660 to \$855,430. |
| Discounted at 7% ^b | 540,900 | \$27,420 to \$155,240 | \$568,320 to \$696,140. |

^a Benefits were rounded to the nearest ten dollars, and may not sum to the indicated totals due to independent rounding.

^b Office of Management and Budget Circular A–4 recommends a 7% discount rate in general, and a 3% discount rate when analyzing impacts to private consumption.

TABLE 2.—AMORTIZED TOTAL BENEFITS PER YEAR FOR PWC USE IN BIGHORN CANYON NATIONAL RECREATION AREA, 2003–2012
[2001 \$]

| | Amortized total benefits per year ^a |
|-------------------------------------|--|
| Alternative A: | |
| Discounted at 3% ^b | \$85,652 to \$106,010. |
| Discounted at 7% ^b | \$85,227 to \$104,763. |
| Alternative B: | |
| Discounted at 3% ^b | \$81,318 to \$100,282. |
| Discounted at 7% ^b | \$80,916 to \$99,115. |

^a This is the present value of total benefits reported in Table 1 amortized over the ten-year analysis timeframe at the indicated discount rate.

^b Office of Management and Budget Circular A–4 recommends a 7% discount rate in general, and a 3% discount rate when analyzing impacts to private consumption.

The primary group that would incur costs under Alternatives A and B would be the park visitors who do not use PWCs and whose park experiences would be negatively affected by PWC use within the park. At Bighorn Canyon

National Recreation Area, non-PWC uses include boating, canoeing, fishing, and hiking. Additionally, the public could incur costs associated with impacts to aesthetics, ecosystem protection, human health and safety,

congestion, nonuse values, and enforcement. However, these costs could not be quantified because of a lack of available data. Nevertheless, the magnitude of costs associated with PWC use would likely be greatest under

Alternative A, and lower for Alternative B due to increasingly stringent restrictions on PWC use.

Because the costs of Alternatives A and B could not be quantified, the net benefits associated with those alternatives (benefits minus costs) also could not be quantified. However, from an economic perspective, the selection of Alternative B as the preferred alternative was considered reasonable even though the quantified benefits are smaller than under Alternative A. That is because the costs associated with non-PWC use, aesthetics, ecosystem protection, human health and safety, congestion, and nonuse values would likely be greater under Alternative A than under Alternative B. Quantification of those costs could reasonably result in Alternative B having the greatest level of net benefits.

Changes to the Final Rule

Based on the preceding comments and responses, the NPS has made no changes to the proposed rule language with regard to PWC operations.

Compliance With Other Laws

Regulatory Planning and Review (Executive Order 12866)

This document is not a significant rule and has not been reviewed by the Office of Management and Budget under Executive Order 12866.

(1) This rule will not have an effect of \$100 million or more on the economy. It will not adversely affect in a material way the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities. The National Park Service has completed the report entitled "Economic Analysis of Management Alternatives for Personal Watercraft in Bighorn Canyon National Recreation Area" (MACTEC Engineering and Consulting, Inc., July 2003).

(2) This rule will not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency. Actions taken under this rule will not interfere with other agencies or local government plans, policies or controls. This rule is an agency specific rule.

(3) This rule does not alter the budgetary effects of entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients. This rule will have no effects on entitlements, grants, user fees, or loan programs or the rights or obligations of their recipients. No grants or other forms of monetary supplements are involved.

(4) This rule does not raise novel legal or policy issues. This rule is one of the special regulations being issued for managing PWC use in National Park Units. The National Park Service published general regulations (36 CFR 3.24) in March 2000, requiring individual park areas to adopt special regulations to authorize PWC use. The implementation of the requirement of the general regulation continues to generate interest and discussion from the public concerning the overall effect of authorizing PWC use and National Park Service policy and park management, but the specific effects of this rule are nominal.

Regulatory Flexibility Act

The Department of the Interior certifies that this rulemaking will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). This certification is based on a report entitled "Economic Analysis of Management Alternatives for Personal Watercraft in Bighorn Canyon National Recreation Area" (MACTEC Engineering and Consulting, Inc., July 2003).

Small Business Regulatory Enforcement Fairness Act (SBREFA)

This rule is not a major rule under 5 U.S.C. 804(2), the Small Business Regulatory Enforcement Fairness Act. This proposed rule:

- a. Does not have an annual effect on the economy of \$100 million or more.
- b. Will not cause a major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions.
- c. Does not have significant adverse effects on competition, employment, investment, productivity, innovation, or the ability of U.S.-based enterprises to compete with foreign-based enterprises.

Unfunded Mandates Reform Act

This rule does not impose an unfunded mandate on State, local, or tribal governments or the private sector of more than \$100 million per year. The rule does not have a significant or unique effect on State, local or tribal governments or the private sector. This rule is an agency specific rule and does not impose any other requirements on other agencies, governments, or the private sector.

Takings (Executive Order 12630)

In accordance with Executive Order 12630, the rule does not have significant takings implications. A taking implication assessment is not required.

No taking of personal property will occur as a result of this rule.

Federalism (Executive Order 13132)

In accordance with Executive Order 13132, the rule does not have sufficient Federalism implications to warrant the preparation of a Federalism Assessment. This rule only affects use of NPS administered lands and waters. It has no outside effects on other areas by allowing PWC use in specific areas of the park.

Civil Justice Reform (Executive Order 12988)

In accordance with Executive Order 12988, the Office of the Solicitor has determined that this rule does not unduly burden the judicial system and meets the requirements of sections 3(a) and 3(b)(2) of the Order.

Paperwork Reduction Act

This regulation does not require an information collection from 10 or more parties and a submission under the Paperwork Reduction Act is not required. An OMB Form 83-I is not required.

National Environmental Policy Act

As a companion document to the NPRM, NPS issued the Personal Watercraft Use Environmental Assessment for Bighorn Canyon National Recreation Area. The EA was available for public review and comment for the period June 9, 2003, through July 11, 2003. A Finding of No Significant Impact (FONSI) was signed on April 26, 2005. To request a copy of these documents call (406) 666-2412 or write Bighorn Canyon National Recreation Area, Attn: PWC EA, P.O. Box 7458, Fort Smith, Montana 59035. Requests may be e-mailed to James_Charles@nps.gov. A copy of the EA and FONSI may also be found at www.nps.gov/bica/pphtml/documents.html.

Government-to-Government Relationship With Tribes

In accordance with the President's memorandum of April 29, 1994, "Government to Government Relations with Native American Tribal Governments" (59 FR 22951) and 512 DM 2, we have evaluated potential effects on Federally recognized Indian tribes and have determined that there are no potential effects.

Administrative Procedure Act

This final rule is effective upon publication in the **Federal Register**. In accordance with the Administrative Procedure Act, specifically, 5 U.S.C.

553(d)(1), this rule, 36 CFR 7.92(d), is exempt from the requirement of publication of a substantive rule not less than 30 days before its effective date.

As discussed in this preamble, the final rule is a part 7 special regulation for Bighorn Canyon National Recreation Area that relieves the restrictions imposed by the general regulation, 36 CFR 3.24. The general regulation, 36 CFR 3.24, prohibits the use of PWC in units of the national park system unless an individual park area has designated the use of PWC by adopting a part 7 special regulation. The proposed rule was published in the **Federal Register** (69 FR 25043) on May 5, 2004, with a 60-day period for notice and comment consistent with the requirements of 5 U.S.C. 553(b). The Administrative Procedure Act, pursuant to the exception in paragraph (d)(1), waives the section 553(d) 30-day waiting period when the published rule "grants or recognizes an exemption or relieves a restriction." In this rule the NPS is authorizing the use of PWCs, which is otherwise prohibited by 36 CFR 3.24. As a result, the 30-day waiting period before the effective date does not apply to the Bighorn Canyon National Recreation Area final rule.

List of Subjects in 36 CFR Part 7

District of Columbia, National Parks, Reporting and recordkeeping requirements.

■ For the reasons stated in the preamble, the National Park Service amends 36 CFR part 7 as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

■ 1. The authority for part 7 continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Sec. 7.96 also issued under D.C. Code 8–137 (1981) and D.C. Code 40–721 (1981).

■ 2. Amend § 7.92 by adding paragraph (d) to read as follows:

§ 7.92 Bighorn Canyon National Recreation Area.

* * * * *

(d) *Personal Watercraft (PWC)*. (1) PWC use is allowed in Bighorn Canyon National Recreation Area, except in the following areas:

(i) In the gated area south of Yellowtail Dam's west side to spillway entrance works and Bighorn River from Yellowtail Dam to cable 3,500 feet north.

(ii) At Afterbay Dam from fenced areas on west side of dam up to the dam.

(iii) In Afterbay Lake, the area between dam intake works and buoy/cable line 100 feet west.

(iv) At Government docks as posted.

(v) At the Ok-A-Beh gas dock, except for customers.

(vi) From Yellowtail Dam upstream to the log boom.

(vii) In Bighorn Lake and shoreline south of the area known as the South Narrows (legal description R94W, T57N at the SE corner of Section 6, the SW corner of Section 5, the NE corner of Section 7, and the NW corner of Section 8). Personal watercraft users are required to stay north of the boundary delineated by park installed buoys.

(2) The Superintendent may temporarily limit, restrict, or terminate access to the areas designated for PWC use after taking into consideration public health and safety, natural and cultural resource protection, and other management activities and objectives.

Dated: May 12, 2005.

Paul Hoffman,

Deputy Assistant Secretary for Fish And Wildlife and Parks.

[FR Doc. 05–10855 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–52–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 81

[NV–FDA–129; FRL–7919–7]

Determination of Attainment by the Applicable Attainment Date for the Carbon Monoxide National Ambient Air Quality Standard Within the Las Vegas Valley Nonattainment Area, Clark County, NV; Determination Regarding Applicability of Certain Clean Air Act Requirements

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: EPA is finding that the Las Vegas Valley nonattainment area in the State of Nevada has attained the National Ambient Air Quality Standard for carbon monoxide by the applicable December 31, 2000 attainment date. EPA is taking this action pursuant to its obligations under the Clean Air Act to determine whether nonattainment areas have attained the applicable standard by the applicable attainment date. As a consequence of this finding, we find that certain statutory requirements no longer apply to this area and that the State of Nevada will not be subject to the additional statutory requirements for carbon monoxide that would otherwise have applied.

DATES: This finding is effective on July 1, 2005.

ADDRESSES: Copies of documents relevant to this action are available for public inspection during normal business hours at the Air Planning Office of the Air Division, Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, California, 94105–3901.

FOR FURTHER INFORMATION CONTACT: Karina O'Connor, Air Planning Office (AIR–2), U.S. Environmental Protection Agency, Region IX, Telephone: (775) 833–1276. E-mail: oconnor.karina@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document, "we," "us" and "our" refer to EPA.

I. Background

Under sections 179(c)(1) and 186(b)(2) of the Clean Air Act (CAA or "Act"), EPA has the responsibility for determining whether a nonattainment area has attained the carbon monoxide (CO) national ambient air quality standard (NAAQS) by the applicable attainment date. In this case, the EPA was required to make a determination concerning the Las Vegas Valley CO nonattainment area. As a "serious" CO nonattainment area, Las Vegas Valley was subject to a December 31, 2000 attainment date.

On January 21, 2005 (70 FR 3174), we published a notice announcing a proposed finding that the Las Vegas Valley nonattainment area had attained the CO NAAQS by the applicable attainment date (December 31, 2000) and that, based on our proposed finding of attainment, certain CAA requirements [specifically, the contingency provisions under sections 172(c)(9) and 187(a)(3)] would no longer apply to this area. A detailed discussion of EPA's proposal is contained in the January 21, 2005 proposed rule and will not be restated here. The reader is referred to the proposed rule for more details.

II. Public Comments

We received no comments in response to our proposed action.

III. Final Action

EPA finds, pursuant to sections 179(c)(1) and 186(b)(2) of the Act, that the Las Vegas Valley "serious" nonattainment area has attained the NAAQS for CO by the applicable attainment date. This finding relieves the State of Nevada from the obligation under section 187(g) of the Act to prepare and submit a SIP revision providing for a reduction of CO emissions within Las Vegas Valley by at

least five percent per year in each year after approval of the SIP revision until the CO NAAQS is attained.

It should be noted that this action does not redesignate this area from "nonattainment" to "attainment". Under section 107(d)(3)(E), the Clean Air Act requires that, for an area to be redesignated from nonattainment to attainment, five criteria must be satisfied including the submittal by the State (and approval by EPA) of a maintenance plan as a SIP revision. Therefore, the designation status of Las Vegas Valley in 40 CFR part 81 is unaffected by this action, and Las Vegas Valley will remain a "serious" nonattainment area for CO until such time as EPA finds that the State of Nevada has met the Clean Air Act requirements for redesignation to attainment.

Based on our finding of attainment by the applicable attainment date, we also find that the CAA's requirement for the SIP to provide for CO contingency provisions under CAA sections 172(c)(9) and 187(a)(3) no longer applies to Las Vegas Valley and that our remaining obligation to promulgate a Federal implementation plan ("FIP") for CO contingency provisions in Las Vegas Valley under CAA section 110(c) is permanently lifted.

IV. Administrative Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a "significant regulatory action" and therefore is not subject to review by the Office of Management and Budget. For this reason, this action is also not subject to Executive Order 13211, "Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use" (66 FR 28355, May 22, 2001). This action merely finds that an area has attained a national ambient air quality standard based on an objective review of measured air quality data and finds that certain Clean Air Act requirements no longer apply. This action will not impose any new regulations, mandates, or additional enforceable duties on any public, nongovernmental, or private entity. Accordingly, the Administrator certifies that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). Because this rule does not impose any additional enforceable duty, it does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Public Law 104-4).

This rule also does not have tribal implications because it will not have a substantial direct effect on one or more Indian tribes, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified by Executive Order 13175 (65 FR 67249, November 9, 2000). This action also does not have Federalism implications because it does not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132 (64 FR 43255, August 10, 1999). This action merely finds that an area has attained a national ambient air quality standard and is therefore not subject to certain specific requirements, and does not alter the relationship or the distribution of power and responsibilities established in the Clean Air Act. This rule also is not subject to Executive Order 13045 "Protection of Children from Environmental Health Risks and Safety Risks" (62 FR 19885, April 23, 1997), because it is not economically significant.

This rule does not involve establishment of technical standards, and thus, the requirements of section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) do not apply. This rule does not impose an information collection burden under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. A major rule cannot take effect until 60 days after it is published in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 1, 2005. Filing a petition for reconsideration by

the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

Authority: 42 U.S.C. 7401 *et seq.*

List of Subjects in 40 CFR Part 81

Environmental protection, Air pollution control, National parks, Wilderness areas.

Dated: May 20, 2005.

Alexis Strauss,

Acting Regional Administrator, Region IX.

[FR Doc. 05-10851 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 93

[FRL-7920-1]

RIN 2060-AN03

Transportation Conformity Rule Amendments for the New PM_{2.5} National Ambient Air Quality Standard: PM_{2.5} Precursors

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: EPA issued a final rule on May 6, 2005, (70 FR 24280) that adds the following transportation related PM_{2.5} precursors to the transportation conformity regulations: nitrogen oxides (NO_x), volatile organic compounds (VOCs), sulfur oxides (SO_x), and ammonia (NH₃). The final rule specifies when each of these precursors must be considered in conformity determinations in PM_{2.5} nonattainment and maintenance areas before and after PM_{2.5} state air quality implementation plans (SIPs) are submitted. The preamble to the final rule contains two minor errors. This notice is intended to correct these errors. All other preamble and regulatory text printed in the May 6, 2005, final rule is correct.

The Department of Transportation (DOT) is EPA's federal partner in implementing the transportation conformity regulation. We have consulted with DOT on the development of these corrections, and DOT concurs.

DATES: *Effective Date:* June 6, 2005.

FOR FURTHER INFORMATION CONTACT: Angela Spickard, State Measures and

Conformity Group, Transportation and Regional Programs Division, U.S. Environmental Protection Agency, 2000 Traverwood Road, Ann Arbor, MI 48105, *spickard.angela@epa.gov*, (734) 214-4283.

SUPPLEMENTARY INFORMATION: EPA issued a final rule on May 6, 2005, (70 FR 24280) that amended the transportation conformity rule (40 CFR part 93) to include the following transportation-related PM_{2.5} precursors: nitrogen oxides (NO_x), volatile organic compounds (VOCs), sulfur oxides (SO_x), and ammonia (NH₃). The final rule specifies when each of these precursors must be considered in conformity determinations in PM_{2.5} nonattainment and maintenance areas before and after PM_{2.5} state air quality implementation plans (SIPs) are submitted. The preamble to the May 6, 2005, final rule contains two minor errors. This notice is intended to correct these errors.

First, EPA is correcting one paragraph and its corresponding footnote in the discussion on *Volatile Organic Compounds* in Section III.B. *Rationale for This Final Rule* (70 FR 24284). This paragraph discusses the contribution of VOC emissions from biogenic sources (e.g., trees) to PM_{2.5} air quality issues. The version of the paragraph printed in the May 6 final rule preamble incorrectly characterizes the existing data and analyses of biogenic source VOC emissions obtained from the PM Supersites Program. This notice corrects the paragraph regarding EPA's understanding of the PM Supersites research and provides the public with the most current reference information.

The incorrect paragraph begins at the bottom of the second column on page 24284 of the May 6 notice with "Additional research is also needed to determine * * *" This paragraph should be stricken and replaced with the following:

"Additional research is also needed to determine the sources of VOC emissions that contribute most to PM_{2.5} air quality issues. For example, according to the NARSTO Fine Particle Assessment,⁵ secondary sources may contribute up to 50 percent of secondary organic mass, particularly in areas where photochemical transformations of emissions from biogenic sources (e.g., trees) are significant. In addition, data obtained from the Particulate Matter Supersites Program suggest that biogenic emissions may contribute significantly to secondary organic aerosols during days of peak PM_{2.5}. Analysis of air quality samples collected in Pittsburgh from 2001 through 2002 indicates that as much as half of the

organic aerosol during peak periods may be attributable to biogenic sources (e.g., trees) as opposed to anthropogenic sources (i.e., man-made sources such as power plants and motor vehicles).^{6,7} The Supersites Program has also collected data on the contribution of biogenic source emissions in other locations in the U.S., including Atlanta, Georgia.^{8,9} However, these findings have not yet been published and peer-reviewed. The contribution of biogenic emissions to PM_{2.5} air quality issues is important because biogenic emissions cannot be controlled."

The footnote five on page 24284 of the May 6 notice should be stricken and replaced with the footnote five below. In addition, new footnotes six through nine are added in the corrected paragraph:

⁵McMurry, P., Shepherd, M., Vickery, J. (ed.) *Particulate Matter Science for Policy Makers—A NARSTO Assessment*. Cambridge: Cambridge University Press, 2004.

⁶Cabada J. C., S. N. Pandis, R. Subramanian, A. L. Robinson, A. Polidori, and B. Turpin (2004) Estimating the secondary organic aerosol contribution to PM_{2.5} using the EC tracer method, *Aerosol Sci. Technol.*, 38S, 140-155.

⁷Millet D. B., N. M. Donahue, S. N. Pandis, A. Polidori, C. O. Stanier, B. J. Turpin, and A. H. Goldstein (2005) Atmospheric volatile organic compound measurements during the Pittsburgh Air Quality Study: Results, interpretation, and quantification of primary and secondary contributions, *J. Geophys. Res.*, 110, D07SO7, 10.1029/2004JD004601.

⁸'Sources of carbon in PM_{2.5} based on 14C and tracer analysis,' Edgerton, Eric S., John J. Jansen, Mei Zheng and Benjamin E. Hartsell (September 2004), 8th International Conference on Carbonaceous Particles in the Atmosphere, Vienna, Austria.

⁹'Source apportionment of PM_{2.5} using a three-dimensional air quality model and a receptor model,' Park, S-K, L. Ke, B. Yan, A. G. Russell, M. Zheng (2005), Proceedings of an AAAR international specialty conference—Particulate Matter Supersites Program and Related Studies, Atlanta, Georgia."

Second, EPA is correcting a footnote in Section III.C.5. *State of the Science* (70 FR 24288) and renumbering two footnotes in this section. Footnotes six and seven in the May 6 final rule should be renumbered as footnotes 10 and 11 in the text referencing the footnotes at the top of the third column on page 24288, and in the footnotes themselves. Footnote seven in the May 6 final rule (corrected to be footnote 11 in this notice) provides a reference to the draft NARSTO Fine Particulate Assessment issued in February 2003. EPA is correcting this footnote to include the reference for the final NARSTO report. EPA believes it is important to make

this correction to avoid confusion and provide the public with the most current published information.

The correct footnote is as follows:

¹¹McMurry, P., Shepherd, M., Vickery, J. (ed.) *Particulate Matter Science for Policy Makers—A NARSTO Assessment*. Cambridge: Cambridge University Press, 2004."

No changes are being made to the final rule language or other preamble language published on May 6, 2005, through this action. EPA finds good cause to make this correction notice effective less than 30 days after publication in the **Federal Register**. The final rule published on May 6 will become effective on June 6, 2005. Today's correction notice does not make any changes to the final rule. This correction notice only clarifies explanatory text and corrects reference citations in the preamble to the final rule which are intended to provide the public with EPA's rationale for its decision. Therefore EPA concludes that it will be in the public interest to have this correction notice also become effective on June 6, 2005.

Authority: 42 U.S.C. 7401-7671q.

Dated: May 25, 2005.

Jeffrey R. Holmstead,

Assistant Administrator for Office of Air and Radiation.

[FR Doc. 05-10853 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-2005-0078; FRL-7714-1]

Tetraconazole; Pesticide Tolerances for Emergency Exemptions

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes time-limited tolerances for residues of tetraconazole 1-[2-(2,4-dichlorophenyl)-3-(1,1,2,2-tetrafluoroethoxy) propyl]-1H-1,2,4-triazole in or on soybean, poultry, and eggs. This action is in response to EPA's granting of emergency exemptions under section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) authorizing use of the pesticide on soybeans. This regulation establishes maximum permissible levels for residues of tetraconazole in these food commodities. The tolerances will expire and are revoked on December 31, 2009.

DATES: This regulation is effective June 1, 2005. Objections and requests for hearings must be received on or before August 1, 2005.

ADDRESSES: To submit a written objection or hearing request follow the detailed instructions as provided in Unit VII. of the **SUPPLEMENTARY INFORMATION**. EPA has established a docket for this action under docket identification (ID) number OPP-2005-0078. All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/edocket>. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in EDOCKET or in hard copy at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT: Andrea Conrath, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number (703) 308-9367; e-mail address: conrath.andrea@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 28522)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities.

How Can I Access Electronic Copies of this Document and Other Related Information?

In addition to using EDOCKET (<http://www.epa.gov/edocket/>), you may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 180 is available at E-CFR Beta Site Two at <http://www.gpoaccess.gov/ecfr/>.

II. Background and Statutory Findings

EPA, on its own initiative, in accordance with sections 408(e) and 408(l)(6) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a, is establishing tolerances for residues of the fungicide tetraconazole, [1-[2-(2,4-dichlorophenyl)-3-(1,1,2,2-tetrafluoroethoxy) propyl]-1H-1,2,4-triazole], in or on soybean seed at 0.05 part per million (ppm); poultry meat at 0.0003 ppm; poultry fat at 0.004 ppm; poultry liver at 0.03 ppm; poultry meat byproducts (excluding liver) at 0.002 ppm; and egg at 0.03 ppm. These tolerances will expire and are revoked on December 31, 2009. EPA will publish a document in the **Federal Register** to remove the revoked tolerances from the Code of Federal Regulations.

Section 408(l)(6) of the FFDCA requires EPA to establish a time-limited tolerance or exemption from the requirement for a tolerance for pesticide chemical residues in food that will result from the use of a pesticide under an emergency exemption granted by EPA under section 18 of FIFRA. Such tolerances can be established without providing notice or period for public comment. EPA does not intend for its actions on section 18 related tolerances to set binding precedents for the application of section 408 of the FFDCA and the new safety standard to other tolerances and exemptions. Section 408(e) of the FFDCA allows EPA to establish a tolerance or an exemption from the requirement of a tolerance on its own initiative, i.e., without having received any petition from an outside party.

Section 408(b)(2)(A)(i) of the FFDCA allows EPA to establish a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is “safe.” section 408(b)(2)(A)(ii) of the FFDCA defines “safe” to mean that “there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is

reliable information.” This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of the FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to “ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .”

Section 18 of the FIFRA authorizes EPA to exempt any Federal or State agency from any provision of FIFRA, if EPA determines that “emergency conditions exist which require such exemption.” This provision was not amended by the Food Quality Protection Act of 1996 (FQPA). EPA has established regulations governing such emergency exemptions in 40 CFR part 166.

III. Emergency Exemption for Tetraconazole on Soybeans and FFDCA Tolerances

The States of Minnesota and South Dakota, as lead state agencies in what is essentially a “national” section 18 request for all soybean growing States, have petitioned the Agency requesting an emergency exemption for tetraconazole to control soybean rust under section 18 of the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA). On November 10, 2004, U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (USDA/APHIS) confirmed the presence of *Phakopsora pachyrhizi*, the pathogen that causes soybean rust, on soybean leaf samples taken from two plots associated with a Louisiana State University research farm. Soybean rust has been designated as a biosecurity threat and therefore, it is important that control measures be available for the disease. EPA has authorized under FIFRA section 18 the use of tetraconazole on soybeans for control of soybean rust in Minnesota, South Dakota, and all the other States that have requested an exemption for this use. After having reviewed the submissions, EPA concurs that emergency conditions exist for these States.

As part of its assessment of these emergency exemptions, EPA assessed the potential risks presented by residues of tetraconazole in or on soybean, poultry, meat and egg commodities. In doing so, EPA considered the safety standard in section 408(b)(2) of the FFDCA, and EPA decided that the necessary tolerances under section 408(l)(6) of the FFDCA would be

consistent with the safety standard and with FIFRA section 18. The data and other relevant material have been evaluated and discussed in the final rule entitled "Tetraconazole; Time-Limited Pesticide Tolerance" published in the **Federal Register** of April 22, 2005 (70 FR 20821) (FRL-7702-4). The risk assessment discussed in that document included contribution to risk from this soybean use. Based on that data and information considered, the Agency concludes that establishing these time-limited tolerances will meet the requirements of section 408(l)(6) of the FFDCA.

Consistent with the need to move quickly on the emergency exemption in order to address an urgent non-routine situation and to ensure that the resulting food is safe and lawful, EPA is issuing these tolerances without notice and opportunity for public comment as provided in section 408(l)(6) of the FFDCA. Although these tolerances will expire and are revoked on December 31, 2009, under section 408(l)(5) of the FFDCA, residues of the pesticide not in excess of the amounts specified in the tolerances remaining in or on soybean, poultry, meat and egg commodities after that date will not be unlawful, provided the pesticide is applied in a manner that was lawful under FIFRA, and the residues do not exceed levels that were authorized by these tolerances at the time of that application. EPA will take action to revoke these tolerances earlier if any experience with, scientific data on, or other relevant information on this pesticide indicate that the residues are not safe.

Because these tolerances are being approved under emergency conditions, EPA has not made any decisions about whether tetraconazole meets EPA's registration requirements for use on soybeans or whether permanent tolerances for this use would be appropriate. Under these circumstances, EPA does not believe that these tolerances serve as a basis for registration of tetraconazole by a State for special local needs under FIFRA section 24(c). Nor do these tolerances serve as the basis for any State other than those which have been granted exemptions as part of the soybean rust section 18 to use this pesticide on this crop under section 18 of FIFRA without following all provisions of EPA's regulations implementing FIFRA section 18 as identified in 40 CFR part 166. For additional information regarding the emergency exemption for tetraconazole, contact the Agency's Registration Division at the address provided under **FOR FURTHER INFORMATION CONTACT**.

IV. Aggregate Risk Assessment and Determination of Safety

EPA performs a number of analyses to determine the risks from aggregate exposure to pesticide residues. For further discussion of the regulatory requirements of section 408 of the FFDCA and a complete description of the risk assessment process, see the final rule on Bifenthrin Pesticide Tolerances November 26, 1997 (62 FR 62961) (FRL-5754-7).

Consistent with section 408(b)(2)(D) of the FFDCA, EPA has reviewed the available scientific data and other relevant information in support of this action. EPA has sufficient data to assess the hazards of tetraconazole and to make a determination on aggregate exposure, consistent with section 408(b)(2) of the FFDCA, for time-limited tolerances for residues of tetraconazole in or on soybean seed at 0.05 ppm; poultry meat at 0.0003 ppm; poultry fat at 0.004 ppm; poultry liver at 0.03 ppm; poultry meat byproducts at 0.002 ppm (excluding liver); and egg at 0.03 ppm. For purposes of this section 18 petition, parent tetraconazole is being considered. The Agency does have concern about potential toxicity of 1,2,4-triazole and two conjugates, triazolylalanine and triazolyl acetic acid. These three compounds are metabolites to most of the triazole-containing fungicides. To support the extension of existing parent triazole-derivative fungicide tolerances, EPA conducted an interim human health assessment for aggregate exposure to 1,2,4-triazole. The exposure and risk estimates presented in this assessment are overestimates of actual likely exposures and therefore, should be considered to be highly conservative. Based on this assessment EPA concluded that for all exposure durations and population subgroups, aggregate exposures to 1,2,4-triazole are not expected to exceed its level of concern. This assessment should be considered interim due to the ongoing series of studies being conducted by the U.S. Triazole Task Force (USTTF). Those studies are designed to provide the Agency with more complete toxicological and residue information for free triazole and are expected to be submitted to the Agency in late 2004. Upon completion of the review of these data, EPA will prepare a more sophisticated assessment based on the revised toxicological and exposure databases.

The most recent estimated aggregate risks resulting from the use of tetraconazole, are discussed in the **Federal Register** of April 22, 2005 (70

FR 20821) (FRL-7702-4), final rule establishing tolerances for residues of tetraconazole in/on sugarbeet and livestock commodities. In that prior action, risk was estimated assuming tolerance level residues in all commodities for established and proposed tolerances, including the tolerances for soybean and animal commodities discussed in this document. Therefore, establishing these tolerances will not change the most recent estimated aggregate risks resulting from use of tetraconazole, as discussed in the April 22, 2005 **Federal Register** document. Refer to the April 22, 2005 **Federal Register** document for a detailed discussion of the aggregate risk assessments and determination of safety. EPA relies upon that risk assessment and the findings made in that **Federal Register** document in support of this action.

Available residue data indicate that the use pattern for the emergency exemptions for soybean will not result in residues of tetraconazole over the following levels: Soybean seed at 0.05 ppm; poultry meat at 0.0003 ppm; poultry fat at 0.004 ppm; poultry liver at 0.03 ppm; poultry meat byproducts (excluding liver) at 0.002 ppm; and egg at 0.03 ppm. Therefore, tolerances are being established for these commodities at these levels. Based on the risk assessments discussed in the final rule published in the **Federal Register** of April 22, 2005, EPA concludes that there is a reasonable certainty that no harm will result to the general population and to infants and children from aggregate exposure to tetraconazole residues.

V. Other Considerations

A. Analytical Enforcement Methodology

Adequate enforcement methodology (capillary gas chromatography with electron capture detector (GC/ECD)) is available to enforce the tolerance expression. The method may be requested from: Chief, Analytical Chemistry Branch, Environmental Science Center, 701 Mapes Rd., Ft. Meade, MD 20755-5350; telephone number: (410) 305-2905; e-mail address: residue_methods@epa.gov.

B. International Residue Limits

There are no established Codex, Canadian, or Mexican Maximum Residue Limits established for tetraconazole.

VI. Conclusion

Therefore, the tolerances are established for residues of tetraconazole, 1-[2-(2,4-dichlorophenyl)-3-(1,1,2,2-

tetrafluoroethoxy) propyl]-1H-1,2,4-triazole, in or on soybean, seed at 0.05 ppm; poultry, meat at 0.0003 ppm; poultry, fat at 0.004 ppm; poultry, liver at 0.03 ppm; poultry, meat byproducts, except liver at 0.002 ppm; and egg at 0.03 ppm.

VII. Objections and Hearing Requests

Under section 408(g) of the FFDCA, as amended by the FQPA, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. The EPA procedural regulations which govern the submission of objections and requests for hearings appear in 40 CFR part 178. Although the procedures in those regulations require some modification to reflect the amendments made to the FFDCA by the FQPA, EPA will continue to use those procedures, with appropriate adjustments, until the necessary modifications can be made. The new section 408(g) of the FFDCA provides essentially the same process for persons to "object" to a regulation for an exemption from the requirement of a tolerance issued by EPA under new section 408(d) of the FFDCA, as was provided in the old sections 408 and 409 of the FFDCA. However, the period for filing objections is now 60 days, rather than 30 days.

A. What Do I Need to Do to File an Objection or Request a Hearing?

You must file your objection or request a hearing on this regulation in accordance with the instructions provided in this unit and in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number OPP-2005-0078 in the subject line on the first page of your submission. All requests must be in writing, and must be mailed or delivered to the Hearing Clerk on or before August 1, 2005.

1. *Filing the request.* Your objection must specify the specific provisions in the regulation that you object to, and the grounds for the objections (40 CFR 178.25). If a hearing is requested, the objections must include a statement of the factual issues(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). Information submitted in connection with an objection or hearing request may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked

confidential may be disclosed publicly by EPA without prior notice.

Mail your written request to: Office of the Hearing Clerk (1900L), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. You may also deliver your request to the Office of the Hearing Clerk in Suite 350, 1099 14th St., NW., Washington, DC 20005. The Office of the Hearing Clerk is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Office of the Hearing Clerk is (202) 564-6255.

2. *Copies for the Docket.* In addition to filing an objection or hearing request with the Hearing Clerk as described in Unit VII.A., you should also send a copy of your request to the PIRIB for its inclusion in the official record that is described in **ADDRESSES**. Mail your copies, identified by the docket ID number OPP-2005-0078, to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. In person or by courier, bring a copy to the location of the PIRIB described in **ADDRESSES**. You may also send an electronic copy of your request via e-mail to: opp-docket@epa.gov. Please use an ASCII file format and avoid the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 6.1/8.0 or ASCII file format. Do not include any CBI in your electronic copy. You may also submit an electronic copy of your request at many Federal Depository Libraries.

B. When Will the Agency Grant a Request for a Hearing?

A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issues(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

VIII. Statutory and Executive Order Reviews

This final rule establishes time-limited tolerances under section 408 of the FFDCA. The Office of Management and Budget (OMB) has exempted these

types of actions from review under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). Because this rule has been exempted from review under Executive Order 12866 due to its lack of significance, this rule is not subject to Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). Since tolerances and exemptions that are established on the basis of a FIFRA section 18 exemption under section 408 of the FFDCA, such as the tolerances in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. The Agency hereby certifies that this rule will not have significant negative economic impact on a substantial number of small entities. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure "meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications." "Policies that have federalism implications" is

defined in the Executive order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This final rule directly regulates growers, food processors, food handlers, and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of the FFDCA. For these same reasons, the Agency has determined that this rule does not have any “tribal implications” as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

IX. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 12, 2005.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

■ Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. Section 180.557 is amended by adding text to paragraph (b) to read as follows:

§ 180.557 Tetraconazole; tolerances for residues.

(a) * * *

(b) *Section 18 emergency exemptions.* Time-limited tolerances are established for residues of the fungicide tetraconazole 1-[2-(2,4-dichlorophenyl)-3-(1,1,2,2-tetrafluoroethoxy) propyl]-1H-1,2,4-triazole in connection with use of the pesticide under section 18 emergency exemptions granted by EPA. These tolerances will expire and are revoked on the dates specified in the following table:

| Commodity | Parts per million | Expiration/revocation date |
|---|-------------------|----------------------------|
| Egg | 0.03 | 12/31/09 |
| Poultry, fat | 0.004 | 12/31/09 |
| Poultry, liver | 0.03 | 12/31/09 |
| Poultry, meat | 0.0003 | 12/31/09 |
| Poultry, meat byproduct, except liver | 0.002 | 12/31/09 |
| Soybean, seed | 0.05 | 12/31/09 |

* * * * *

[FR Doc. 05-10765 Filed 5-31-05; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-2005-0028; FRL-7713-2]

3-Hexen-1-ol, (3Z)-; Exemption from the Requirement of a Tolerance

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: This regulation establishes an exemption from the requirement of a tolerance for residues of cis -3-hexen-1-ol also known as leaf alcohol or 3-hexen-1-ol, (3Z)- (CAS Reg. No. 928-96-1) when used as an inert ingredient - an odorant or alerting agent in certain pesticide formulations. Syngenta Crop Protection, Inc. submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA), requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of cis -3-hexen-1-ol.

DATES: This regulation is effective June 1, 2005. Objections and requests for hearings must be received on or before August 1, 2005.

ADDRESSES: To submit a written objection or hearing request follow the detailed instructions as provided in Unit XII. of the **SUPPLEMENTARY INFORMATION.** EPA has established a docket for this action under Docket identification (ID) number OPP-2005-0028. All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/edocket>. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in EDOCKET or in hard copy at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT:

Kathryn Boyle, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number:

(703) 305-6304; e-mail address: boyle.kathryn@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Electronic Documents and Other Related Information?

In addition to using EDOCKET at (<http://www.epa.gov/edocket/>), you may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 180 is available at E-CFR Beta Site Two at <http://www.gpoaccess.gov/ecfr/>.

II. Background and Statutory Findings

In the **Federal Register** of July 16, 2003 (68 FR 42035) (FRL-7316-2), EPA issued a notice pursuant to section 408 of the FFDCA, 21 U.S.C. 346a, as amended by the FQPA (Public Law 104-170), announcing the filing of a pesticide petition (PP 3E6589) by Syngenta Crop Protection, Inc, Box 18300, Greensboro, NC 27419.

The petition requested that 40 CFR part 180 be amended by establishing an exemption from the requirement of a tolerance for residues of cis-3-hexen-1-ol which is also known as leaf alcohol or 3-hexen-1-ol, (3Z)- (CAS Reg. No. 928-96-1). That notice included a summary of the petition prepared by Syngenta Crop Protection, Inc. The notice specifically requested a limited

inert ingredient use pattern for cis-3-hexen-1-ol. The petitioner intends to use the cis-3-hexen-1-ol as an odorant or alerting agent to warn pesticide handlers that a pesticide formulation had been or is being used. Syngenta, in that Notice, described their intent to use cis-3-hexen-1-ol in pesticide formulations containing the active ingredient paraquat dichloride and at a concentration not to exceed 4 grams/liter (g/L) in the formulated pesticide product.

One comment was received in response to the notice of filing. The Agency's response to this comment is in Unit X.E.

Section 408(b)(2)(A)(i) of the FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is “safe.” Section 408(b)(2)(A)(ii) of the FFDCA defines “safe.” to mean that “there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information.” This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of the FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to “ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . .”

EPA performs a number of analyses to determine the risks from aggregate exposure to pesticide residues. First, EPA determines the toxicity of pesticides. Second, EPA examines exposure to the pesticide through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings.

III. Inert Ingredient Definition

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents;

and emulsifiers. The term “inert” is not intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

IV. Physical/Chemical Properties

Consistent with section 408(b)(2)(D) of the FFDCA, EPA has reviewed the available scientific data and other relevant information in support of this action and considered its validity, completeness and reliability and the relationship of this information to human risk. The physical/chemical properties of cis-3-hexen-1-ol are given in this unit.

Cis-3-Hexen-1-ol is a six carbon unsaturated alcohol with a molecular formula of C₆H₁₂O and a structural formula of CH₃CH₂CHCHCH₂CH₂OH. It is a colorless liquid with a pine needle or grassy odor. Cis-3-Hexen-1-ol is also referred to as leaf alcohol, because of its presence in the fragrance released by green leaves. The vapor pressure of cis-3-hexen-1-ol is estimated as 0.86 millimeter (mm) mercury (Hg). It's solubility in water is greater than 10 g/L at 25°C.

V. Toxicity Profile

EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. The nature of the toxic effects caused by cis-3-hexen-1-ol are discussed in this unit.

A. Structure Activity Relationship Assessment

For cis-3-hexen-1-ol, toxicity was assessed, in part, by a process called structure-activity relationship (SAR). In this process, the chemical's structural similarity to other chemicals (for which data are available) is used to determine toxicity. For human health, this process, can be used to assess absorption and metabolism, mutagenicity, carcinogenicity, developmental and reproductive effects, neurotoxicity, systemic effects, immunotoxicity, and sensitization and irritation. This is a qualitative assessment using terms such as good, not likely, poor, moderate, or high.

For cis-3-hexen-1-ol the conclusions of the team performing the SAR assessment are as follows: Cis-3-hexen-1-ol is absorbed via all routes of exposure. There is concern for irritation to all tissues and neurotoxicity based on solvent properties of the material. A concern for liver toxicity based on cis-

3-hexen-1-ol's structural relationship to several long chain alcohols was noted. Various concerns based on the 98-day drinking water study (discussed below) are also noted. The overall rating for human health is low-moderate concern.

Cis-3-Hexen-1-ol is not structurally related to any known mutagens, carcinogens or developmental/reproductive toxicants. The SAR did note a concern for solvent neurotoxicity, i.e., neurotoxic effects that can occur due to "high" and/or "prolonged" dermal and inhalation exposures to

organic solvents. It should be noted that the indication of concerns for solvent-type neurotoxicity in the SAR assessment does not necessarily indicate chemical-specific concerns. By including this statement, those performing the assessment are acknowledging that the chemical is a member of a class of chemicals that can exhibit solvent neurotoxicity.

B. Metabolism of cis-3-Hexen-1-ol

The metabolism of alcohols such as cis-3-hexen-1-ol in the mammalian body

is well-understood. The mammalian body would effectively metabolize the alcohol to the corresponding aldehyde, which would then be metabolized to the corresponding carboxylic acid. The mammalian body has well-understood pathways for metabolism of carboxylic acids to carbon dioxide and water.

C. Review of Data from Open Literature

1. *Acute toxicity.* As shown in the following Table, rat and mouse lethal dose (LD)₅₀ values range from 7.0 to 10.1 g/kilogram (kg).

ACUTE TOXICITY OF CIS-3-HEXEN-1-OL

| Species | Route | Sex | LD ₅₀ (95% C.I.) (g/kg) |
|---------|-------|------------|------------------------------------|
| Rat | Oral | Male (M) | 10.1 (8.4-12.1) |
| | | Female (F) | 7.3 (5.6-9.5) |
| Mice | Oral | Male | 7.0 (5.0-9.6) |
| | | Female | 7.2 (5.8-9.3) |

Signs of toxicity in these oral studies included ataxia, lethargy and comatose-like state. Dermal LD₅₀ values of greater than 5,000 milligrams (mg)/kg have been reported for rabbits. No irritation was associated with a 24-hour dermal application of neat (undiluted) cis-3-hexen-1-ol with an occlusive dressing to either intact or abraded rabbit skin. Similarly, human subjects exhibited no signs or symptoms of irritation following a 48-hour dermal exposure to 4% cis-3-hexen-1-ol (in petrolatum) under an occlusive patch. In maximization tests using human volunteers, there was no evidence of sensitization.

2. *Subchronic toxicity.* In a 98-day drinking water study, 15 male and 15 female weanling rats were given cis-3-hexen-1-ol in drinking water at concentration levels of 0, 310, 1,250, or 5,000 parts per million (ppm). The dose levels were calculated as 0, 30, 127, or 410 mg/kg/day (males); and 0, 42, 168, or 721 mg/kg/day (females). There were no effects on food consumption or body weight gain, and no indications of clinical toxicity. Reduced water intake was recorded for high-dose males, which was attributed to reduced palatability. Evidence of a renal effect was observed in high-dose males as shown by increased relative kidney weights and increased specific gravity of urine following water loading challenge. There were also increases in adrenal weights at the high-dose level. High-dose females exhibited transitory anemia (reduced hemoglobin concentration) during the 6th week of treatment. The 1,250 ppm or 127/168 mg/kg/day (M/F) is considered a no

observed adverse effect level (NOAEL). The lowest observed adverse effect level (LOAEL) of 5,000 ppm is based on effects to the kidneys, blood and adrenal glands.

D. Conclusions

The mammalian body effectively metabolizes alcohols such as cis-3-hexen-1-ol to the corresponding aldehyde and then to the corresponding carboxylic acid.

The SAR assessment did not identify any concerns for mutagenicity, carcinogenicity or developmental/reproductive toxicity. One of the concerns identified was for possible solvent neurotoxicity. Solvent neurotoxicity concerns usually stem from dermal and inhalation exposures. Exposures generally need to be "high" and/or "prolonged" for these solvent toxicity effects to occur. Also, for acute exposures, such effects, generally, are reversible. Concerns are for occupational exposures since the potential for day in/day out exposure can occur in the workplace. Such concerns are addressed through product labeling and the use of protective equipment such as gloves and respirators.

Another SAR concern is for irritation to all tissues. However, acute dermal skin irritation and sensitization studies indicate no evidence of sensitization or irritation.

Alcohols, in general, are considered to be hepatotoxic, i.e. impacting the liver. However, the target organs in the 98 day drinking water study were the kidneys, blood and adrenal glands. And, the reduced hemoglobin concentration was

transitory, that is, the test animals recovered during the study.

Thus, the mammalian body can effectively metabolize cis-3-hexen-1-ol. It is not acutely toxic. The SAR assessment did not identify any concerns for mutagenicity, carcinogenicity or developmental/reproductive toxicity. The NOAEL in the 98-day drinking water study is 127/168 mg/kg/day (M/F).

The petitioner has proposed to limit the use of cis-3-hexen-1-ol to a concentration not to exceed 4 g/L in the formulated pesticide product. This is equivalent to 0.4%. At this low percentage in the formulated product, the residues from the use of cis-3-hexen-1-ol as an inert ingredient, an odorant or alerting agent, will be much lower than the level at which an adverse effect could occur.

VI. Aggregate Exposures

In examining aggregate exposure, section 408 of the FFDCA directs EPA to consider available information concerning exposures from the pesticide residue in food and all other non-occupational exposures, including drinking water from ground water or surface water and exposure through pesticide use in gardens, lawns, or buildings (residential and other indoor uses).

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In

order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

A. Dietary Exposure

1. *Food.* Cis-3-Hexen-1-ol is naturally-occurring in common food sources such as green leafy vegetables. In fact, low molecular weight alcohols, aldehydes, and acids such as cis-3-hexen-1-ol are ubiquitous in nature, in our foods as the flavors and fragrances which give foods their distinctive tastes. Such chemicals have been detected (at low levels) in almost every known fruit and vegetable. Given the natural occurrence, there is a background (naturally occurring) level of exposure to cis-3-hexen-1-ol, that cannot be regulated and cannot be decreased.

Cis-3-Hexen-1-ol is also used as a direct food additive, a flavoring, under 21 CFR 172.515: Synthetic Flavoring Substances and Adjuvants. In its 1999 evaluation (Food Additives Series 42; see <http://www.inchem.org/documents/jecfa/jecmono/v042je16.htm>) of the safety of various linear and branched-chain aliphatic, unsaturated chemicals used as flavoring substances, the Joint FAO/WHO (Food and Agriculture Organization/World Health Organization) Expert Committee on Food Additives estimated the per capita intake of cis-3-hexen-1-ol when used as a food additive. In Europe, the estimate is 71 micrograms (ug)/kg/day. In the US, the estimate is 18 ug/kg/day, or 0.018 mg/kg/day.

Exposure resulting from the use of cis-3-hexen-1-ol at less than 0.4% in the formulated product is anticipated to be much smaller than the naturally occurring background level of exposure, or exposure from its use as a flavoring agent.

2. *Drinking water exposure.* The SAR assessment also estimated the fate properties of cis-3-hexen-1-ol. Based on these properties, the team performing the SAR judged that the potential for cis-3-hexen-1-ol to migrate to ground water as very small. The estimated water solubility of cis-3-hexen-1-ol is greater than 10 g/L. However, based on cis-3-hexen-1-ol's vapor pressure of 0.86

mm Hg, the Agency modeled a volatilization half-life of 39 hours in rivers and 21 days in lakes. Primary biodegradation begins rapidly, within days, as the cis-3-hexen-1-ol is degraded to other chemicals. Based on biodegradation models and on the Agency's professional judgement, cis-3-hexen-1-ol is completely biodegraded to water and carbon dioxide in days to weeks. Given the lack of migration to ground water, the rapid biodegradation (i.e. lack of persistence), and the volatilization of cis-3-hexen-1-ol, significant concentrations of cis-3-hexen-1-ol are very unlikely in sources of drinking water.

B. Other Non-Occupational Exposure

Cis-3-Hexen-1-ol has been used since the 1940s in soaps, detergents, and personal care products. Because it constitutes such a low percentage of the formulation, exposure is likely to be minimal.

Cis-3-Hexen-1-ol is released to the atmosphere from deciduous, coniferous, and herbaceous vegetation, and also agricultural crops. These naturally-occurring emissions vary according to the season, and the maturity of the vegetation, which would include growth stages such as flowering. Again, this is a background (naturally occurring) level of exposure to cis-3-hexen-1-ol, that cannot be regulated and cannot be decreased.

VII. Cumulative Effects

Section 408 (b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance or tolerance exemption, the Agency consider "available information" concerning the cumulative effects of a particular chemical's residues and "other substances that have a common mechanism of toxicity."

Unlike other pesticide chemicals for which EPA has followed a cumulative risk approach based on a common mechanism of toxicity, EPA has not made a common mechanism of toxicity finding as to cis-3-hexen-1-ol and any other substances, and cis-3-hexen-1-ol does not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has not assumed that cis-3-hexen-1-ol has a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see the policy statements released by EPA's Office of Pesticide Programs concerning common

mechanism determinations and procedures for cumulating effects from substances found to have a common mechanism on EPA's website at <http://www.epa.gov/pesticides/cumulative/>.

VIII. Safety Factor for Infants and Children

FFDCA section 408 provides that EPA shall apply an additional tenfold margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the data base unless EPA concludes that a different margin of safety will be safe for infants and children. 3-Hexen-1-ol, (3Z)- which is also known as cis -3-hexen-1-ol or leaf alcohol (CAS Reg. No. 928-96-1) is naturally-occurring in both the human diet and in the atmosphere. The SAR assessment did not indicate any concerns for developmental or reproductive toxicity. Exposure resulting from the use of 3-hexen-1-ol, (3Z)- at less than 0.4% in the formulated product is anticipated to be much smaller than the naturally occurring background level of exposure. Given the available information on toxicity and exposure, EPA has not used a safety factor analysis to assess the risk of 3-hexen-1-ol, (3Z)-. For the same reasons the additional tenfold safety factor is unnecessary.

IX. Determination of Safety for U.S. Population and Infants and Children

Based on the available information on toxicity and exposure (including the limitation on the amount of 3-hexen-1-ol, (3Z)- that can be used in a pesticide formulation), EPA concludes that there is a reasonable certainty of no harm from aggregate exposure to residues of 3-hexen-1-ol, (3Z)- (CAS Reg. No. 928-96-1). EPA finds that establishing an exemption from the requirement of a tolerance for 3-hexen-1-ol, (3Z)- (CAS Reg. No. 928-96-1) will be safe for the general population including infants and children.

X. Other Considerations

A. Endocrine Disruptors

FQPA requires EPA to develop a screening program to determine whether certain substances, including all pesticide chemicals (both inert and active ingredients), "may have an effect in humans that is similar to an effect produced by a naturally occurring estrogen, or such other endocrine effect. . . ." EPA has been working with interested stakeholders to develop a screening and testing program as well as a priority setting scheme. As the Agency proceeds with implementation of this

program, further testing of products containing 3-hexen-1-ol, (3Z)- for endocrine effects may be required.

B. Analytical Method(s)

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation.

C. Existing Exemptions

There are no existing tolerances or tolerance exemptions for 3-hexen-1-ol, (3Z)-.

D. International Tolerances

The Agency is not aware of any country requiring a tolerance for 3-hexen-1-ol, (3Z)- nor have any CODEX Maximum Residue Levels (MRLs) been established for any food crops at this time.

E. Public Comment

One comment was received from a private citizen requesting that all pesticides be banned. The Agency understands the commentor's concerns and recognizes that some individuals believe that pesticides should be banned completely. However, under the existing legal framework provided by section 408 of the FFDCA EPA is authorized to establish pesticide tolerances or exemptions where persons seeking such exemptions have demonstrated that the pesticide meets the safety standard imposed by that statute. The commentor has not provided the Agency with a specific rationale or additional information pertaining to the legal standards in FFDCA section 408 for opposing the establishment of a tolerance exemption for 3-hexen-1-ol, (3Z)-. In the absence of any additional information of a factual nature, the Agency can not effectively respond to the commentor's disagreement with the Agency's decision.

XI. Conclusions

Accordingly, an exemption from the requirement for a tolerance is established for 3-hexen-1-ol, (3Z)- (CAS Reg. No. 928-96-1) with the limitation that not more than 0.4% may be used in the pesticide formulation.

XII. Objections and Hearing Requests

Under section 408(g) of the FFDCA, as amended by the FQPA, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. The EPA procedural regulations which govern the submission of objections and requests for hearings appear in 40 CFR part 178. Although the procedures in those

regulations require some modification to reflect the amendments made to the FFDCA by the FQPA, EPA will continue to use those procedures, with appropriate adjustments, until the necessary modifications can be made. The new section 408(g) of the FFDCA provides essentially the same process for persons to "object" to a regulation for an exemption from the requirement of a tolerance issued by EPA under new section 408(d) of the FFDCA, as was provided in the old FFDCA sections 408 and 409 of the FFDCA. However, the period for filing objections is now 60 days, rather than 30 days.

A. What Do I Need to Do to File an Objection or Request a Hearing?

You must file your objection or request a hearing on this regulation in accordance with the instructions provided in this unit and in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number OPP-2005-0028 in the subject line on the first page of your submission. All requests must be in writing, and must be mailed or delivered to the Hearing Clerk on or before August 1, 2005.

1. *Filing the request.* Your objection must specify the specific provisions in the regulation that you object to, and the grounds for the objections (40 CFR 178.25). If a hearing is requested, the objections must include a statement of the factual issues(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). Information submitted in connection with an objection or hearing request may be claimed confidential by marking any part or all of that information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

Mail your written request to: Office of the Hearing Clerk (1900L), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. You may also deliver your request to the Office of the Hearing Clerk in Suite 350, 1099 14th St., NW., Washington, DC 20005. The Office of the Hearing Clerk is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Office of the Hearing Clerk is (202) 564-6255.

2. *Copies for the Docket.* In addition to filing an objection or hearing request with the Hearing Clerk as described in

Unit XI.A., you should also send a copy of your request to the PIRIB for its inclusion in the official record that is described in **ADDRESSES**. Mail your copies, identified by docket ID number OPP-2005-0028, to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. In person or by courier, bring a copy to the location of the PIRIB described in **ADDRESSES**. You may also send an electronic copy of your request via e-mail to: opp-docket@epa.gov. Please use an ASCII file format and avoid the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 6.1/8.0 or ASCII file format. Do not include any CBI in your electronic copy. You may also submit an electronic copy of your request at many Federal Depository Libraries.

B. When Will the Agency Grant a Request for a Hearing?

A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issues(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

XIII. Statutory and Executive Order Reviews

This final rule establishes an exemption from the tolerance requirement under section 408(d) of the FFDCA in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). Because this rule has been exempted from review under Executive Order 12866 due to its lack of significance, this rule is not subject to Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose

any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). Since tolerances and exemptions that are established on the basis of a petition under section 408(d) of the FFDCA, such as the exemption in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications ” is

defined in the Executive Order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of the FFDCA. For these same reasons, the Agency has determined that this rule does not have any “tribal implications” as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

XIV. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 20, 2005.

Lois Rossi,
Director, Registration Division, Office of Pesticide Programs.

■ Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.910, the table is amended by adding alphabetically the following inert ingredient to read as follows:

§ 180.910 Exemptions from the requirement of a tolerance.

* * * * *

| Inert ingredients | Limits | Uses |
|---|--|-------------------------|
| * * * * | * * * * | * * * * |
| 3-hexen-1-ol, (3Z)- (CAS Reg. No. 928-96-1) | not more than 0.4% of the pesticide formulation. | odorant, alerting agent |
| * * * * | * * * * | * * * * |

* * * * *

[FR Doc. 05-10846 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 180**

[OPP-2005-0115; FRL-7712-1]

Two Isopropylamine Salts of Alkyl C₄ and Alkyl C₈₋₁₀ Ethoxyphosphate esters; Exemption from the Requirement of a Tolerance**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Final rule.

SUMMARY: This regulation establishes two exemptions from the requirement of a tolerance for residues of 2-propanamine, compound with α -phosphono- ω -butoxypoly (oxy-1,2-ethanediyl) (2:1) and 2-propanamine, compounds with polyethylene glycol dihydrogen phosphate C₈₋₁₀-alkyl ether (2:1), referred to as 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters, when used as inert ingredients (emulsifier, solvent and cosolvent) in pesticide formulations applied only to growing crops. Rhodia, Inc, CN 7500, Cranbury, NJ 08512-7500, submitted a petition to EPA under the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA), requesting an exemption from the requirement of a tolerance. This regulation eliminates the need to establish a maximum permissible level for residues of these two chemicals.

DATES: This regulation is effective June 1, 2005. Objections and requests for hearings must be received on or before August 1, 2005.

ADDRESSES: To submit a written objection or hearing request follow the detailed instructions as provided in Unit XI. of the **SUPPLEMENTARY INFORMATION.** EPA has established a docket for this action under Docket identification (ID) number OPP-2005-0115. All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/edocket>. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be publicly available only in hard copy form. Publicly available docket materials are available either electronically in EDOCKET or in hard

copy at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT:

Princess Campbell, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-8033; e-mail address: campbell.princess@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Does this Action Apply to Me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

B. How Can I Get Electronic Documents and Other Related Information?

In addition to using EDOCKET at (<http://www.epa.gov/edocket/>), you may

access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgrstr/>. A frequently updated electronic version of 40 CFR part 180 is available at E-CFR Beta Site Two at <http://www.gpoaccess.gov/ecfr/>.

II. Background and Statutory Findings

In the **Federal Register** of March 17, 1999 (64 FR 13195) (FRL-6065-5) EPA issued a notice pursuant to section 408 of the FFDCA, 21 U.S.C. 346a, as amended by the FQPA (Public Law 104-170), announcing the filing of pesticide petitions (PP 8E4990 and 8E4956) by Rhodia Inc, CN 7500, Cranbury, NJ 08512-7500.

The petitions requested that 40 CFR 180.1001(d) newly re-designated as 40 CFR 180.920 be amended to include exemptions from the requirement of a tolerance for residues of 2-Propanamine, compound with α -phosphono- ω -butoxypoly (oxy-1,2-ethanediyl) (2:1) (CAS Reg. No. 43140-31-2) and 2-Propanamine, compounds with polyethylene glycol dihydrogen phosphate C₈₋₁₀-alkyl ether (2:1) (CAS Reg. No. 431062-72-5). The 1999 notice included a summary of the petition prepared by the petitioner requesting, to amend 40 CFR part 180 to establish an exemption from the requirement of a tolerance for these two chemicals when used as inert ingredients in pesticide formulations applied only to growing crops. There were no comments received in response to the notice of filing.

Section 408(b)(2)(A)(i) of the FFDCA allows EPA to establish an exemption from the requirement for a tolerance (the legal limit for a pesticide chemical residue in or on a food) only if EPA determines that the tolerance is "safe." Section 408(b)(2)(A)(ii) of the FFDCA defines "safe" to mean that "there is a reasonable certainty that no harm will result from aggregate exposure to the pesticide chemical residue, including all anticipated dietary exposures and all other exposures for which there is reliable information." This includes exposure through drinking water and in residential settings, but does not include occupational exposure. Section 408(b)(2)(C) of the FFDCA requires EPA to give special consideration to exposure of infants and children to the pesticide chemical residue in establishing a tolerance and to "ensure that there is a reasonable certainty that no harm will result to infants and children from aggregate exposure to the pesticide chemical residue. . . ."

EPA performs a number of analyses to determine the risks from aggregate

exposure to pesticide residues. First, EPA determines the toxicity of pesticides. Second, EPA examines exposure to the pesticide through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings.

III. Inert Ingredient Definition

Inert ingredients are all ingredients that are not active ingredients as defined in 40 CFR 153.125 and include, but are not limited to, the following types of ingredients (except when they have a pesticidal efficacy of their own): Solvents such as alcohols and hydrocarbons; surfactants such as polyoxyethylene polymers and fatty acids; carriers such as clay and diatomaceous earth; thickeners such as

carrageenan and modified cellulose; wetting, spreading, and dispersing agents; propellants in aerosol dispensers; microencapsulating agents; and emulsifiers. The term "inert" is not intended to imply nontoxicity; the ingredient may or may not be chemically active. Generally, EPA has exempted inert ingredients from the requirement of a tolerance based on the low toxicity of the individual inert ingredients.

IV. Toxicological Profile

Consistent with section 408(b)(2)(D) of the FFDCA, EPA has reviewed the available scientific data and other relevant information in support of this action and considered its validity, completeness and reliability and the

relationship of this information to human risk. EPA has also considered available information concerning the variability of the sensitivities of major identifiable subgroups of consumers, including infants and children. The nature of the toxic effects caused by these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters are discussed in this unit.

A. Submitted Studies

The petitioner has also submitted supporting toxicity information to the Agency which is summarized in Table 1.

The acute toxicity profile is presented in Table 1.

TABLE 1: ACUTE TOXICITY PROFILE OF 2 ISOPROPYLAMINE SALTS OF ALKYL C₄ AND ALKYL C₈₋₁₀ ETHOXYPHOSPHATE ESTERS

| Study | Result | Category |
|-----------------------------|--------------------------------|----------|
| Acute oral (Rats) | LD ₅₀ > 2,000 mg/kg | III |
| Acute dermal (Rats) | LD ₅₀ > 2,000 mg/kg | III |
| Eye irritation | Slightly irritating | III |
| Dermal irritation (Rabbits) | Not irritating | III |
| Dermal sensitizer (GP) | Not a sensitizer | NA |

The petitioner also submitted the following mutagenicity assays, as described in Table 2:

TABLE 2: MUTAGENICITY ASSAYS CONDUCTED USING:

| Type of Assay | Test Culture | Results |
|---------------|---|----------|
| Ames | <i>S. typhimurium</i> TA 98, TA 100, TA 102, TA 1535, TA 1537 | Negative |

B. Structure Activity Relationship (SAR) Assessment

Toxicity for these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters was assessed, in part, by a process called structure-activity relationship (SAR). In this process, the chemical's structural similarity to other chemicals (for which data are available) is used to determine toxicity. For human health, this process, can be used to assess absorption and metabolism, mutagenicity, carcinogenicity, developmental and reproductive effects, neurotoxicity, systemic effects, immunotoxicity, and sensitization and irritation. This is a qualitative assessment using terms such as good, not likely, poor, moderate, or high.

The SAR conclusions for these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters and several structurally related analogs were as follows: Absorption would be poor through the skin, good through the lungs, and moderate through the GI tract. Absorption of the amine will be good through the lungs and GI tract based on analogs. The SAR also indicated a concern for lung toxicity and irritation to mucous membranes if inhaled based on surfactancy. There is concern for neurotoxicity from the amine salt. No concerns for developmental or reproductive effects, carcinogenicity, or mutagenicity were noted. The overall rating for human health is low/ moderate concern.

C. Conclusions

EPA has reviewed the toxicity data for these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters and concludes as follows:

The acute toxicity data demonstrated that these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters exhibited low acute toxicity, Category III, based on the Agency's rating of toxicity categories I through IV, highest to lowest. These 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters are slight eye irritants. Other data reviewed by the Agency indicated that these two salts are not mutagenic.

The SAR indicated that absorption would be poor through the skin, good through the lungs, and moderate through the GI tract. The SAR also

reflected the typical concerns for lung toxicity and irritation to mucous membranes if inhaled based on surfactancy. Such concerns are addressed by use of personal protection equipment as determined by end-product acute inhalation testing, or by limitations on the amount of surfactant in a formulated pesticide. There are also typical concerns for neurotoxicity based on the inclusion of an amine salt in the chemical structure, and for lung toxicity and irritation to mucous membranes if inhaled based on surfactancy. As a chemical class amine salts are generally reported to have neurotoxic effects. However, there is an overall lack of documentation in the public literature to support a specific concern for neurotoxicity for isopropylamine salts. The SAR rated these two isopropylamine salts as low to moderate for human health concerns. This rating reflects the concerns associated with the irritation to mucous membranes commonly caused by surfactants.

The SAT in OPPT (Office of Pollution Prevention and Toxics) has reviewed information on several surfactants. As a broad class of chemicals surfactants are often corrosive and irritating to mucous membranes. These properties make animal toxicity testing of surfactants difficult, and require interpretation of the test results as to whether the effects are attributed to the corrosive/irritant effects or other mechanisms of toxicity.

Based on the SAR assessment, the review and evaluation of the submitted data, and given the Agency's understanding of the toxicological properties of surfactants, EPA concludes that these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters are of lower toxicity. There is a concern for corrosive/irritation effects of these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters. Based on these concerns which are those of surfactants as a class, EPA is requiring a limitation on the use of these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters, not to exceed 15% in the formulated product. Based on previously conducted quantitative and qualitative risk assessments on related surfactant chemicals which the Agency has exempted from the requirement of a tolerance, the Agency believes that this limitation is sufficiently protective for the corrosive effects common to the surfactancy of these two salts.

V. Aggregate Exposures

In examining aggregate exposure, section 408 of the FFDCA directs EPA to consider available information

concerning exposures from the pesticide residue in food and all other non-occupational exposures, including drinking water from ground water or surface water and exposure through pesticide use in gardens, lawns, or buildings (residential and other indoor uses).

EPA establishes exemptions from the requirement of a tolerance only in those cases where it can be clearly demonstrated that the risks from aggregate exposure to pesticide chemical residues under reasonably foreseeable circumstances will pose no appreciable risks to human health. In order to determine the risks from aggregate exposure to pesticide inert ingredients, the Agency considers the toxicity of the inert in conjunction with possible exposure to residues of the inert ingredient through food, drinking water, and through other exposures that occur as a result of pesticide use in residential settings. If EPA is able to determine that a finite tolerance is not necessary to ensure that there is a reasonable certainty that no harm will result from aggregate exposure to the inert ingredient, an exemption from the requirement of a tolerance may be established.

1. *Dietary exposure — Food.* In order to assess dietary exposure the Agency considered that these two isopropylamine salts could be present in all raw and processed agricultural commodities. The Agency has estimated a generic dietary exposure estimate for an inert ingredient of 0.12 milligrams/kilogram/day (mg/kg/day). To assure that the exposure is not underestimated, it is assumed that the inert ingredients are used on all crops and 100% of all crops are "treated" with the inert ingredient. The generic dietary exposure estimate is based on an application rate of 5 pounds per acre. Information from the petitioner indicates that the anticipated use rate of these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters is expected to be much less than one pound per acre. The expected dietary exposure estimate would therefore be considerably less than 0.024 mg/kg/day. Given the low levels of exposure and the low systemic toxicity of these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters, the concern for risk to human health is low.

2. *Drinking water.* Based on its biodegradation models, the Agency estimated that the time for complete ultimate biodegradation is weeks to months. There is also strong to very strong sorption to soils and sediments. Due to the strong adherence to soils and sediments, and ready biodegradation the

substances would only be minimally available in surface waters. Thus, only low drinking water exposure is expected, and the concern for risk to human health is low.

VI. Cumulative Effects

Section 408 (b)(2)(D)(v) of FFDCA requires that, when considering whether to establish, modify, or revoke a tolerance or tolerance exemption, the Agency consider "available information" concerning the cumulative effects of a particular chemical's residues and "other substances that have a common mechanism of toxicity."

Unlike other pesticide chemicals for which EPA has followed a cumulative risk approach based on a common mechanism of toxicity, EPA has not made a common mechanism of toxicity finding as to these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters and any other substances. These 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters do not appear to produce a toxic metabolite produced by other substances. For the purposes of this tolerance action, therefore, EPA has not assumed that these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters have a common mechanism of toxicity with other substances. For information regarding EPA's efforts to determine which chemicals have a common mechanism of toxicity and to evaluate the cumulative effects of such chemicals, see the policy statements released by EPA's Office of Pesticide Programs concerning common mechanism determinations and procedures for cumulating effects from substances found to have a common mechanism on EPA's website at <http://www.epa.gov/pesticides/cumulative/>.

VII. Safety Factor for the Protection of Infants and Children

FFDCA section 408 provides that EPA shall apply an additional tenfold margin of safety for infants and children in the case of threshold effects to account for prenatal and postnatal toxicity and the completeness of the data unless EPA concludes that a different margin of safety will be safe for infants and children. For 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters, the SAR did not identify any concerns for developmental or reproductive toxicity. The identified concerns for 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters are corrosion/irritation. EPA has not used a safety factor analysis to assess the risk.

For the same reasons a tenfold safety factor is unnecessary.

VIII. Determination of Safety for U.S. Population

Based on the information in this preamble, EPA concludes that there is a reasonable certainty of no harm from aggregate exposure to residues of 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters, and that under reasonably foreseeable circumstances aggregate exposure to 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters will pose no appreciable risk to human health. Accordingly, EPA finds that exempting 2-Propanamine, compound with α -phosphono - ω -butoxypoly (oxy-1,2-ethanediyl) (2:1) (CAS Reg. No. 43140-31-2) and 2-Propanamine, compounds with polyethylene glycol dihydrogen phosphate C₈₋₁₀-alkyl ether (2:1) (CAS Reg. No. 431062-72-5) from the requirement of a tolerance will be safe for the general population including infants and children.

IX. Other Considerations

A. Endocrine Disruptors

FQPA requires EPA to develop a screening program to determine whether certain substances, including all pesticide chemicals (both inert and active ingredients), "may have an effect in humans that is similar to an effect produced by a naturally occurring estrogen, or such other endocrine effect . . ." EPA has been working with interested stakeholders to develop a screening and testing program as well as a priority setting scheme. As the Agency proceeds with implementation of this program, further testing of these products, 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters, for endocrine effects may be required.

B. Analytical Method(s)

An analytical method is not required for enforcement purposes since the Agency is establishing an exemption from the requirement of a tolerance without any numerical limitation.

C. Existing Exemptions

There are no existing tolerances or tolerance exemptions for these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters.

D. International Tolerances

The Agency is not aware of any country requiring a tolerance for these 2 isopropylamine salts of alkyl C₄ and alkyl C₈₋₁₀ ethoxyphosphate esters nor have any CODEX Maximum Residue

Levels (MRLs) been established for any food crops at this time.

X. Conclusions

Therefore, an exemption from the requirement for a tolerance is established for 2-Propanamine, compound with α -phosphono - ω -butoxypoly (oxy-1,2-ethanediyl) (2:1) (CAS Reg. No. 43140-31-2) and 2-Propanamine, compounds with polyethylene glycol dihydrogen phosphate C₈₋₁₀-alkyl ether (2:1) (CAS Reg. No. 431062-72-5).

XI. Objections and Hearing Requests

Under section 408(g) of the FFDCA, as amended by the FQPA, any person may file an objection to any aspect of this regulation and may also request a hearing on those objections. The EPA procedural regulations which govern the submission of objections and requests for hearings appear in 40 CFR part 178. Although the procedures in those regulations require some modification to reflect the amendments made to the FFDCA by the FQPA, EPA will continue to use those procedures, with appropriate adjustments, until the necessary modifications can be made. The new section 408(g) of the FFDCA provides essentially the same process for persons to "object" to a regulation for an exemption from the requirement of a tolerance issued by EPA under new section 408(d) of the FFDCA, as was provided in the old FFDCA sections 408 and 409 of the FFDCA. However, the period for filing objections is now 60 days, rather than 30 days.

A. What Do I Need to Do to File an Objection or Request a Hearing?

You must file your objection or request a hearing on this regulation in accordance with the instructions provided in this unit and in 40 CFR part 178. To ensure proper receipt by EPA, you must identify docket ID number OPP-2005-0115 in the subject line on the first page of your submission. All requests must be in writing, and must be mailed or delivered to the Hearing Clerk on or before August 1, 2005.

1. *Filing the request.* Your objection must specify the specific provisions in the regulation that you object to, and the grounds for the objections (40 CFR 178.25). If a hearing is requested, the objections must include a statement of the factual issues(s) on which a hearing is requested, the requestor's contentions on such issues, and a summary of any evidence relied upon by the objector (40 CFR 178.27). Information submitted in connection with an objection or hearing request may be claimed confidential by marking any part or all of that

information as CBI. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the information that does not contain CBI must be submitted for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice.

Mail your written request to: Office of the Hearing Clerk (1900L), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. You may also deliver your request to the Office of the Hearing Clerk in Suite 350, 1099 14th St., NW., Washington, DC 20005. The Office of the Hearing Clerk is open from 8 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The telephone number for the Office of the Hearing Clerk is (202) 564-6255.

2. *Copies for the Docket.* In addition to filing an objection or hearing request with the Hearing Clerk as described in Unit XI.A., you should also send a copy of your request to the PIRIB for its inclusion in the official record that is described in **ADDRESSES**. Mail your copies, identified by docket ID number OPP-2005-0115, to: Public Information and Records Integrity Branch, Information Resources and Services Division (7502C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001. In person or by courier, bring a copy to the location of the PIRIB described in **ADDRESSES**. You may also send an electronic copy of your request via e-mail to: opp-docket@epa.gov. Please use an ASCII file format and avoid the use of special characters and any form of encryption. Copies of electronic objections and hearing requests will also be accepted on disks in WordPerfect 6.1/8.0 or ASCII file format. Do not include any CBI in your electronic copy. You may also submit an electronic copy of your request at many Federal Depository Libraries.

B. When Will the Agency Grant a Request for a Hearing?

A request for a hearing will be granted if the Administrator determines that the material submitted shows the following: There is a genuine and substantial issue of fact; there is a reasonable possibility that available evidence identified by the requestor would, if established resolve one or more of such issues in favor of the requestor, taking into account uncontested claims or facts to the contrary; and resolution of the factual issues(s) in the manner sought by the requestor would be adequate to justify the action requested (40 CFR 178.32).

XII. Statutory and Executive Order Reviews

This final rule establishes an exemption from the tolerance requirement under section 408(d) of the FFDCA in response to a petition submitted to the Agency. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). Because this rule has been exempted from review under Executive Order 12866 due to its lack of significance, this rule is not subject to Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001). This final rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104-4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104-113, section 12(d) (15 U.S.C. 272 note). Since tolerances and exemptions that are established on the basis of a petition under section 408(d) of the FFDCA, such as the exemption in this final rule, do not require the issuance of a proposed rule, the requirements of the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*) do not apply. In

addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications” is defined in the Executive Order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This final rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of the FFDCA. For these same reasons, the Agency has determined that this rule does not have any “tribal implications” as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This rule will not have substantial direct effects on tribal governments, on the

relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this rule.

XIII. Congressional Review Act

The Congressional Review Act, 5 U.S.C. 801 *et seq.*, as added by the Small Business Regulatory Enforcement Fairness Act of 1996, generally provides that before a rule may take effect, the agency promulgating the rule must submit a rule report, which includes a copy of the rule, to each House of the Congress and to the Comptroller General of the United States. EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of this final rule in the **Federal Register**. This final rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 20, 2005.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

■ Therefore, 40 CFR chapter I is amended as follows:

PART 180—[AMENDED]

■ 1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

■ 2. In § 180.920, the table is amended by adding alphabetically the following inert ingredients to read as follows:

§ 180.920 Inert ingredients used pre-harvest; exemptions from the requirement of a tolerance.

* * * * *

| Inert ingredients | Limits | Uses |
|---|--|------------|
| * * * | * * | * * |
| 2-Propanamine, compound with α -phosphono- ω -butoxypoly (oxy-1,2-ethanediyl) (2:1) (CAS Reg. No. 43140-31-2). | Not more than 15% in the formulated product. | Surfactant |
| 2-Propanamine, compounds with polyethylene glycol dihydrogen phosphate C ₈₋₁₀ -alkyl ether (2:1) (CAS Reg. No. 431062-72-5). | Not more than 15% in the formulated product. | Surfactant |
| * * * | * * | * * |

* * * * *

[FR Doc. 05-10845 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-S

FEDERAL MARITIME COMMISSION

46 CFR Part 531

Non-Vessel-Operating Common Carrier Service Arrangements

AGENCY: Federal Maritime Commission.

ACTION: Final rule, technical amendment.

SUMMARY: In compliance with the Paperwork Reduction Act, this technical amendment revises 46 CFR part 531.99 and Form FMC-78 to reflect the Office of Management and Budget's current control number.

DATES: Effective June 1, 2005.

FOR FURTHER INFORMATION CONTACT: Amy W. Larson, General Counsel, Federal Maritime Commission, 800

North Capitol Street, NW., Washington, DC 20573-0001, (202) 523-5740; Austin L. Schmitt, Director of Operations, Federal Maritime Commission, 800 N. Capitol Street, NW., Washington, DC 20573-0001, (202) 523-0988.

SUPPLEMENTARY INFORMATION: In compliance with the Paperwork Reduction Act, the Federal Maritime Commission is issuing this technical revision to 46 CFR 531.99 and Form FMC-78 to reflect the current Office of Management and Budget ("OMB") information collection control number for 46 CFR part 531, reflected in 46 CFR 531.99 and Form FMC-78. The former OMB control number was 3072-0067, expiring May 31, 2005. The current OMB control number is 3072-0070, expiring March 31, 2008. This technical rule makes no other changes to the part.

List of Subjects for 46 CFR Part 531

Exports, Non-vessel-operating common carriers, Ocean transportation intermediaries.

■ Accordingly, 46 CFR part 531 is revised as follows:

PART 531—[AMENDED]

■ 1. The authority citation for part 531 continues to read as follows:

Authority: 46 U.S.C. app. § 1715.

■ 2. Revise the last two sentences of § 531.99 to read as follows:

§ 531.99 OMB control numbers assigned pursuant to the Paperwork Reduction Act.

* * * The valid control number for this collection of information is 3072-0070. The valid control number for form FMC-78 is 3072-0070.

■ 3. In Exhibit 1 to 46 CFR Part 531, NVOCC Service Arrangement Registration [Form FMC-78], change the OMB control number and expiration date to "3072-0070" and "March 1, 2008." Thus Form FMC-78 will read as follows:

BILLING CODE 6730-01-P

EXHIBIT 1 – NVOCC SERVICE ARRANGEMENT REGISTRATION [FORM FMC-78]

OMB No. 3072-0070 (exp. date: 3/31/2008)

FORM FMC-78

PLEASE TYPE OR PRINT

NVOCC SERVICE ARRANGEMENT REGISTRATION

(SEE ATTACHED INSTRUCTIONS)

1. Organization No. _____**2. Registrant** _____

Full Legal Name of firm (or individual, if not a firm)

(Doing Business As or Trade Name)

3. a. NVOCC OTI License No. _____ **Effective date:** _____
MM/DD/YYYY**OR b. If foreign-based unlicensed NVOCC, provide the following information for agent for service of process:****Name:** _____**Address:** _____**4. This Registration is:** ☐ Initial ☐ Amendment (Specify change)**5. Headquarters Address**(Number and Street) _____ () _____
Telephone(Number and Street) _____ () _____
Fax

(City/State/Zip/Country) _____ (Federal TIN Number, if any) _____ E-Mail (optional) _____

6. Mailing Address (If different)

c/o name _____

Address _____

Telephone () _____

Fax () _____

Email (optional) _____

7. Person(s) to be granted registration. Please list individual(s) for whom a log-on identifier is requested. If this is a transfer of log-on, please list the existing name and existing log-on ID: Name: _____ Existing Log-on: _____**8. Is the person listed in question 7 a third party? (check one)** ☐ Yes ☐ No. If yes, a letter of authority must be submitted with this form.**9.**

Signature of Authorized Official _____

Print or type name of Authorized Official _____

date (MM/DD/YYYY) _____

Title of Authorized Official _____

FMC USE ONLYLogon _____ ID _____ Directory _____ DateAsg _____ / _____ / _____ AsgBy _____
11/04 (rev'd 12/04)(rev'd 3/05)

Dated: May 26, 2005.

Bryant L. VanBrakle,
Secretary.

[FR Doc. 05-10922 Filed 5-31-05; 8:45 am]

BILLING CODE 6730-01-C

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 1, 23, 25, 73, 74, 78, 95, and 97

[DA 05-1075]

Editorial Modifications of the Commission's Rules

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: This document amends twelve sections of the Commission's Rules by updating the postal address of the Arecibo Radio Astronomy Observatory near Arecibo, Puerto Rico.

DATES: Effective April 14, 2005.

FOR FURTHER INFORMATION CONTACT: Rodney Small, Office of Engineering and Technology, (202) 418-2452.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Order*, ET Docket No. 96-2, RM-8165, adopted April 13, 2005 and released April 14, 2005. The full text of this document is available on the Commission's Internet site at <http://www.fcc.gov>. It is also available for inspection and copying during regular business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The full text of this document also may be purchased from the Commission's duplication contractor, Best Copy and Printing Inc., Portals II, 445 12th St., SW., Room CY-B402, Washington, DC 20554; telephone (202) 488-5300; fax (202) 488-5563; e-mail FCC@BCPIWEB.COM.

Summary of the Order

1. In the *Order*, the Office of the Managing Director ("OMD") amends twelve sections of the Commission's Rules by updating the postal address of the Arecibo Radio Astronomy Observatory ("Observatory") near Arecibo, Puerto Rico.

2. In October 1997, the Commission established a Coordination Zone covering the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra within the Commonwealth of Puerto Rico. The Coordination Zone requires applicants for new and modified radio facilities in various communications services within the Coordination Zone to provide notification of their proposed

operations to the Observatory at the time their applications are submitted to the Commission.

3. On March 4, 2005, Counsel for Cornell University ("Cornell"), operator of the Observatory, informed the Commission's Office of Engineering and Technology (OET) that the postal address for the Observatory had changed, and the Post Office is no longer forwarding mail sent to the old address listed in the Commission's Rules. Accordingly, Counsel for Cornell requests that the postal address for the Observatory be amended in all applicable Commission Rules to "Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612."

4. Authority for adoption of the foregoing revisions is contained in 47 CFR 0.231(b).

5. Amending the postal address for the Observatory in all applicable Commission rules is ministerial and does not change the substance of the rule or any party's obligations or rights, and thus can be undertaken under OMD delegated authority without a notice and comment period rulemaking. OMD has examined the entirety of the Commission's rules and finds twelve sections that require amendment to reflect the Observatory's new postal address.

Ordering Clauses

6. Pursuant to section 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. 154(i) and 154(j), and sections 0.11 and 0.231 of the Commission's rules, 47 CFR 0.11 and 0.231, the *Order* and the rules specified in the Appendix, *are amended*, effective April 14, 2005.

List of Subjects

47 CFR Part 1

Postal Service, reporting and recordkeeping requirements.

47 CFR Parts 23, 25, 73, 74, 78, 95, and 97

Reporting and recordkeeping requirements.

Federal Communications Commission.

Andrew S. Fishel,
Managing Director.

Rule Changes

■ For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR parts 1, 23, 25, 73, 74, 78, 95 and 97 to read as follows:

PART 1—PRACTICE AND PROCEDURE

■ 1. The authority citation for part 1 continues to read as follows:

Authority: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309 and 325(e).

■ 2. Section 1.924 is amended by revising paragraph (d) introductory text to read as follows:

§ 1.924 Quiet zones.

* * * * *

(d) *Notification to the Arecibo Observatory.* The requirements in this section are intended to minimize possible interference at the Arecibo Observatory in Puerto Rico. Licensees must make reasonable efforts to protect the Observatory from interference. Licensees planning to construct and operate a new station at a permanent fixed location on the islands of Puerto Rico, Desecheo, Mona, Vieques or Culebra in services in which individual station licenses are issued by the FCC; planning to construct and operate a new station at a permanent fixed location on these islands that may cause interference to the operations of the Arecibo Observatory in services in which individual station licenses are not issued by the FCC; or planning a modification of any existing station at a permanent fixed location on these islands that would increase the likelihood of causing interference to the operations of the Arecibo Observatory must notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically (e-mail address: prcz@naic.edu), of the technical parameters of the planned operation. Carriers may wish to use the interference guidelines provided by Cornell University as guidance in designing facilities to avoid interference to the Observatory. The notification must include identification of the geographical coordinates of the antenna location (NAD-83 datum), the antenna height, antenna directivity (if any), proposed channel and FCC Rule Part, type of emission, and effective isotropic radiated power.

* * * * *

PART 23—INTERNATIONAL FIXED PUBLIC RADIOCOMMUNICATION SERVICES

■ 3. The authority citation for part 23 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082 as amended; 47 U.S.C. 154, 303. Interpret or apply sec. 301, 48 Stat. 1081; 47 U.S.C. 301.

■ 4. Section 23.20 is amended by revising paragraph (f) introductory text to read as follows:

§ 23.20 Assignment of frequencies.

(f) Any applicant for a new permanent base or fixed station to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

PART 25—SATELLITE COMMUNICATIONS

■ 5. The authority citation for part 25 continues to read as follows:

Authority: 47 U.S.C. 701–744. Interprets or applies Sections 4, 301, 302, 303, 307, 309 and 332 of the Communications Act, as amended. 47 U.S.C. Sections 154(i), 301, 302, 303, 307, 309 and 332, unless otherwise noted.

■ 6. Section 25.203 is amended by revising paragraph (i) introductory text to read as follows:

§ 25.203 Choice of sites and frequencies.

* * * * *

(i) Any applicant for a new permanent transmitting fixed earth station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of such station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information

electronically should e-mail to: prcz@naic.edu.

* * * * *

PART 73—RADIO BROADCAST SERVICES

■ 7. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334 and 336.

■ 8. Section 73.1030 is amended by revising paragraph (a)(2) introductory text to read as follows:

§ 73.1030 Notifications concerning interference to radio astronomy, research and receiving installations.

(a) * * *

(2) Any applicant for a new permanent base or fixed station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

PART 74—EXPERIMENTAL RADIO, AUXILIARY, SPECIAL BROADCAST AND OTHER DISTRIBUTIONAL SERVICES

■ 9. The authority citation for part 74 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 307, 336(f), 336(h) and 554.

■ 10. Section 74.24 is amended by revising paragraph (j)(1) to read as follows:

§ 74.24 Short-term operation.

* * * * *

(j)(1) This paragraph applies only to operations which will transmit on frequencies under 15 GHz. Prior to commencing short-term operation of a remote pickup broadcast station, a remote pickup automatic relay station, an aural broadcast STL station, an aural broadcast intercity relay station, a TV STL station, a TV intercity relay station, a TV translator relay station, a TV

pickup station, or a TV microwave booster station within the 4-mile (6.4 kilometer) radius Commonwealth of Puerto Rico Protection Zone (centered on NAD–83 Geographical Coordinates North Latitude 18° 20' 38.28", West Longitude 66° 45' 09.42"), an applicant must notify the Arecibo Observatory, located near Arecibo, Puerto Rico. Operations within the Puerto Rico Coordination Zone (*i.e.*, on the islands of Puerto Rico, Desecheo, Mona, Vieques, or Culebra), but outside the Protection Zone, whether short term or long term, shall provide notification to the Arecibo Observatory prior to commencing operation. Notification should be directed to the following: Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, Tel. (809) 878–2612, Fax (809) 878–1861, E-mail prcz@naic.edu.

* * * * *

PART 78—CABLE TELEVISION RELAY SERVICE

■ 11. The authority citation for part 78 continues to read as follows:

Authority: Secs. 2, 3, 4, 301, 303, 307, 308, 309, 48 Stat., as amended, 1064, 1065, 1066, 1081, 1082, 1083, 1084, 1085; 47 U.S.C. 152, 153, 154, 301, 303, 307, 308, 309.

■ 12. Section 78.19 is amended by revising paragraph (c)(2) introductory text to read as follows:

§ 78.19 Interference.

* * * * *

(c) * * *

(2) Any applicant for a new permanent base or fixed station authorization to be located on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra, or for a modification of an existing authorization which would change the frequency, power, antenna height, directivity, or location of a station on these islands and would increase the likelihood of the authorized facility causing interference, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Applicants may wish to consult interference guidelines, which will be provided by Cornell University. Applicants who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

PART 95—PERSONAL RADIO SERVICES

■ 13. The authority citation for part 95 continues to read as follows:

Authority: Secs. 4, 303, 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303.

■ 14. Section 95.192 is amended by revising paragraph (d) introductory text to read as follows:

§ 95.192 (FRS Rule 2) Authorized Locations.

* * * * *

(d) Anyone intending to operate an FRS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory, shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

■ 15. Section 95.206 is amended by revising paragraph (c) introductory text to read as follows:

§ 95.206 (R/C Rule 6) Are there any special restrictions on the location of my R/C station?

* * * * *

(c) Anyone intending to operate an R/C station on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

■ 16. Section 95.405 is amended by revising paragraph (d) introductory text to read as follows:

§ 95.405 (CB Rule 5) Where may I operate my CB station?

* * * * *

(d) Anyone intending to operate a CB station on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box

53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

■ 17. Section 95.1003 is amended by revising paragraph (c) introductory text to read as follows:

§ 95.1003 Authorized locations.

* * * * *

(c) Anyone intending to operate an LPRS transmitter on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

■ 18. Section 95.1303 is amended by revising paragraph (c) introductory text to read as follows:

§ 95.1303 Authorized locations.

* * * * *

(c) Anyone intending to operate a MURS unit on the islands of Puerto Rico, Desecheo, Mona, Vieques, and Culebra in a manner that could pose an interference threat to the Arecibo Observatory shall notify the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the location of the unit. Operators may wish to consult interference guidelines, which will be provided by Cornell University. Operators who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

PART 97—AMATEUR RADIO SERVICE

■ 19. The authority citation for part 97 continues to read as follows:

Authority: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064–1068, 1081–1105, as amended; 47 U.S.C. 151–155, 301–609, unless otherwise noted.

■ 20. Section 97.205 is amended by revising paragraph (h) introductory text to read as follows:

§ 97.205 Repeater station.

* * * * *

(h) The provisions of this paragraph do not apply to repeaters that transmit on the 1.2 cm or shorter wavelength bands. Before establishing a repeater within 16 km (10 miles) of the Arecibo Observatory or before changing the transmitting frequency, transmitter power, antenna height or directivity of an existing repeater, the station licensee must give written notification thereof to the Interference Office, Arecibo Observatory, HC3 Box 53995, Arecibo, Puerto Rico 00612, in writing or electronically, of the technical parameters of the proposal. Licensees who choose to transmit information electronically should e-mail to: prcz@naic.edu.

* * * * *

[FR Doc. 05–10658 Filed 5–31–05; 8:45 am]

BILLING CODE 6712–01–P

OFFICE OF PERSONNEL MANAGEMENT

48 CFR Parts 1601, 1602, 1604, 1615, 1631, 1632, 1644, 1646, and 1652

RIN 3206–AJ20

Federal Employees Health Benefits Acquisition Regulation: Large Provider Agreements, Subcontracts, and Miscellaneous Changes

AGENCY: Office of Personnel Management.

ACTION: Final rule.

SUMMARY: The Office of Personnel Management (OPM) is issuing this final regulation to amend the Federal Employees Health Benefits Acquisition Regulation (FEHBAR). It establishes requirements, including audit, for Federal Employees Health Benefits Program (FEHB) experience-rated carriers' Large Provider Agreements. It also modifies the dollar threshold for review of carriers' subcontract agreements; revises the definitions of Cost or Pricing Data and Experience-rate to reflect mental health parity requirements; updates the contract records retention requirement; updates the FEHB Clause Matrix; and conforms subpart and paragraph references to Federal Acquisition Regulation (FAR) revisions made since we last updated the FEHBAR.

DATES: Effective July 1, 2005.

ADDRESSES: This document is available for viewing at the U.S. Office of Personnel Management, 1900 E Street, NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT:

Anne Easton, Manager, at 202-606-0770 or e-mail aseaston@opm.gov.

SUPPLEMENTARY INFORMATION:

The primary purpose of this rulemaking is to provide for additional OPM oversight of the FEHB Program carriers' contract costs that are charged to the Government. Since the beginning of the Program, we have maintained oversight of FEHB carriers' costs, including subcontractor costs. We have specified standard contracting requirements for review and audit of costs and have routinely updated our requirements as necessary. Historically, we have not considered providers of healthcare services or supplies to be subcontractors, as the term is defined in the Federal Acquisition Regulation (FAR), because hundreds of thousands of such agreements between carriers and providers are in place, and until recently, the dollar value of each agreement was relatively small. However, the healthcare delivery system has changed and new large healthcare delivery entities now play a significant role in the industry. FEHB carriers now contract with these entities for services that represent a significant portion of individual carriers' total costs charged to the FEHB Program, and in the aggregate represent a sizeable portion of overall Program costs. Because of the impact of these costs on the FEHB Program, we are expanding our oversight in this area. Even though Large Providers of healthcare services or supplies are not defined as subcontractors under the FEHB Program, these regulatory changes would bring them under the umbrella of the FEHBA and subject them to audit requirements currently applicable to carriers and their subcontractors. Some, but not all, FEHB carriers' Large Provider Agreements already provide for a limited right to audit. We believe this provision should be in regulation rather than in individual contracts to make the context clear and consistent for all experience-rated carriers by mirroring the regulatory requirements for oversight of FEHB subcontracting arrangements. As with audit findings in subcontract arrangements, any audit findings regarding Large Providers would be referred to the FEHB carrier holding the Large Provider Agreement.

For FAR audit purposes, we define a "Large Provider Agreement" as an agreement between (1) an FEHB carrier, at least 25 percent of whose total enrollee contracts are comprised of FEHB enrollee contracts, and (2) a provider of services, where the total costs charged to the FEHB carrier for a

contract term for FEHB members, including benefits and services, are reasonably expected to exceed five percent of the carrier's total FEHB benefits costs, or five percent of the carrier's total FEHB administrative costs (where the provider is not responsible for benefits costs under the agreement). We will use the FEHB Program Annual Accounting Statement for the prior contract year to determine the five percent threshold.

Large Provider Agreements include mail order pharmacy services, pharmacy benefit management services, mental (behavioral) health and/or substance abuse management services, preferred provider organizations (including organizations that own and/or contract with direct providers of medical services and supplies), utilization review services, and/or large case or disease management services. Large Provider Agreements do not include carriers' contracts with hospitals.

This regulation requires experience-rated carriers to meet minimum notification and information requirements with respect to any new procurement, renewal, significant modification, or option relating to a Large Provider Agreement. Information to be provided includes: a description of the supplies or services required, basis for reimbursement, reason the proposed provider was selected, method of contracting and competition obtained, methodology used to compute profit, and provider risk provisions. This new oversight reflects OPM's need to be informed of the types of carriers' Large Provider Agreements and their terms and conditions because of the value and cost of such agreements to the FEHB Program. The clause describing the Large Provider Agreement review requirement is applicable to Large Provider Agreements and significant modifications effective January 1, 2004. However, to allow for an appropriate transition period, OPM will apply this requirement only to those Agreements and modifications that take effect on or after 90 days following the effective date of this final regulation.

This regulation authorizes the contracting officer to request additional information after he or she receives the carrier's notification and required information prior to the award of a Large Provider Agreement, as well as any time during the performance of the agreement. The contracting officer will give the carrier either written comments on the agreement, or written notice that there will be no comments. If the contracting officer provides comments, the carrier must inform the contracting

officer how it intends to address those comments.

Under the regulation, Large Providers must retain and make available for Government inspection all records applicable to the carrier's Large Provider contractual agreement. The Government will have audit rights with respect to Large Provider Agreements that are the same for all carriers. The contract clauses at 1652.204-74, Large Provider Agreements, and 1652.246-70, FEHB Inspection, contain provisions that require carriers to insert the applicable clauses in their Large Provider Agreements.

This regulation also updates our policy on FEHB Program subcontracting consent which previously required advance approval of carriers' subcontracts or modifications when the amount charged to the FEHB Program was at least \$100,000 and at least 25 percent of the total subcontract costs. Consistent with FAR changes, we are increasing the threshold to require advance approval if the amount charged to the FEHB Program equals or exceeds \$550,000 and is at least 25 percent of the total subcontract costs. The regulation also clarifies the cost components the carrier must consider in determining the \$550,000 threshold. 1644.170, Policy for FEHB Program subcontracting, has been clarified to reflect that (a) General Policy and (b) Consent work together, along with the FEHB Program Clause Matrix.

We have added a new section to Part 1631, Contract Cost Principles and Procedures, concerning the inferred reasonableness of a subcontract's costs. If the carrier follows the notification and consent requirements of 1652.244-70, Subcontracts, and later obtains the contracting officer's consent or ratification of the subcontract's costs, then the reasonableness of the subcontract's costs will be inferred.

We have modified the definitions of Cost or Pricing Data and Experience-rate to incorporate mental (behavioral) health benefits capitation rates, thereby reflecting the implementation of mental (behavioral) health parity in the FEHB Program as of the 2001 contract year. Mental (behavioral) health capitation rates are considered to be cost or pricing data and are included as actual paid claims and administrative expenses in experience rating.

We have updated the contractor records retention requirement for carrier rate submissions, patient claims, Large Provider Agreements, and subcontracts to six years. Earlier in the history of the Program when virtually all records were maintained in paper format, we established a requirement for carriers to

retain claims records for three years and financial records for five years. Since electronic data storage significantly reduces the maintenance burden and the Program can benefit from having records available for a slightly longer period, we have modified and standardized the records retention requirement. Carriers' records are subject to the Health Insurance Portability and Accountability Act (HIPAA) standards for privacy of individually identifiable health information.

To conform to current FAR sections, we have re-designated and/or re-titled certain sections and references in FEHBAR Parts 1615, 1632, and 1652. No material changes were made to these three Parts. Old FEHBAR 1615.1, General Requirements for Negotiation, is retitled "Source Selection Processes and Techniques." Old FEHBAR 1615.170, Negotiation authority, is now Section 1615.070. Old FEHBAR 1615.4, Solicitations and Receipt of Proposals and Quotations, is now 1615.2, Solicitations and Receipt of Proposals and Information. Old 1615.401, Applicability, is now 1615.270. Old FEHBAR 1615.6, Source Selection, is now 1615.3. Old FEHBAR 1615.602, Applicability, is now 1615.370. We moved the provisions in old FEHBAR Subparts 1615.8, Price Negotiation, and 1615.9, Profit, to Subpart 1615.4, Contract Pricing, to correspond with the FAR. We removed and reserved sections 1615.8 and 1615.9 because there are no longer corresponding references in the FAR. Old Section 1615.802, Policy, is now 1615.402, Pricing policy. Old paragraph 1615.804-70, Certificate of accurate cost or pricing data for community-rated carriers, is now 1615.406-2, Certificate of accurate cost or pricing data for community-rated carriers. Old paragraph 1615.804-72, Rate reduction for defective pricing or defective cost or pricing data, is now 1615.407-1. Old paragraph 1615.805-70, Carrier investment of FEHB funds, is now 1615.470. Old paragraph 1615.805-71, Investment income clause, is now 1615.470-1. Old Section 1615.902, Policy, is now 1615.404-4, Profit, and old Section 1615.905, Profit analysis factors, is now 1615.404-70.

In 1632.170, Recurring premium payments to carriers, we removed paragraph (c) relating to the 3-Year Department of Defense (DoD) Demonstration Project (10 U.S.C. 1108) because the term of the demonstration project expired December 31, 2002.

In 1632.771, Non-commingling of FEHB Program funds, and 1632.772, Contract clause, we removed the incorrect reference to paragraph

1652.232-70 and replaced it with the reference to 1652.232-72.

We removed the reference to "1615.804-72" in the introductory text of "1652.215-70, Rate reduction for defective pricing or defective cost or pricing data," and replaced it with "1615.407-1." In the same section, we removed the reference to "15.804-2(a)(1)" and replaced it with "15.403-4(a)(1)." We also replaced the clause date with "2003." In paragraph (a) of the clause, we replaced "1615.804-70" with "1615.406-2." We also removed paragraph (d) relating to the 3-Year DoD Demonstration Project (10 U.S.C. 1108) because the term of the demonstration project expired December 31, 2002.

In the introductory text of 1652.215-71, Investment income, we replaced "1615.805-71" with "1615.470-1."

In 1652.216-70, Accounting and price adjustment, we changed the clause date to "2003" and removed paragraph (c) because the term of the 3-Year DoD Demonstration Project (10 U.S.C. 1108) expired December 31, 2002.

In 1652.216-71, Accounting and allowable cost, we changed the clause date to "2003" and removed paragraph (d) because the term of the 3-Year DoD Demonstration Project (10 U.S.C. 1108) expired December 31, 2002.

In 1652.222-70, Notice of significant events, we revised paragraph (d) of the clause to increase the threshold for inserting the clause in the carrier's subcontracts and subcontract modifications.

In 1652.232-70, Payments—Community-rated contracts, we changed the clause date to "2003" and removed paragraph (f) because the term of the 3-Year DoD Demonstration Project (10 U.S.C. 1108) expired December 31, 2002.

In 1652.232-71, Payments—Experience-rated contracts, we changed the clause date to "2003" and removed paragraph (f) because the term of the 3-Year DoD Demonstration Project (10 U.S.C. 1108) expired December 31, 2002.

We updated the FEHB Program Clause Matrix by removing three clauses that relate to the Cost Accounting Standards (FAR 52.230-2, FAR 52.230-3, and FAR 52.230-6) that are waived and no longer apply.

On August 15, 2003, OPM published a proposed rule in the **Federal Register** (68 FR 48851). OPM received comments from an association representing fee-for-service health plans participating in the FEHB Program, three individual FEHB fee-for-service health plans, and one Federal employee union. The fee-for-service association recommended that we change the term "Large Provider

Agreements" to "Managed Care Agreements" because certain preferred provider organization contractors and utilization review contractors do not want to be referred to as health providers because of liability concerns. The association also recommended that we clarify the organizations that would be considered Large Providers. We believe the Large Provider definition adequately reflects our intent but for clarification, we have added a representative sample of providers to the definition of Large Provider Agreement in FEHBAR 1602.170-15.

The association also commented that most "Managed Care Agreements" are price analysis based contracts, not cost reimbursement contracts, are not subject to the inclusion of FAR 52.215-2, "Audit and Records—Negotiation" clause, and the flow down provision to Large Provider Agreements would not apply. They stated that the FEHBAR already contains FEHB Inspection clauses at 48 CFR 1646.301, 1652.246-70, for underwriting and administrative services and recommended that we revise these clauses to include review of "Managed Care Agreements". This would permit audit of cost analysis contracts under the Audit and Records—Negotiation clause, and price analysis contracts under the FEHB Inspection clause. We agree with the association's comment and have revised the regulation accordingly. This same principle applies to both Large Provider and subcontract arrangements.

The association commented that Large Provider audit findings should be treated pursuant to the overpayments clause of the fee-for-service contract (§ 2.3(g)) because they are not defective pricing situations under the Truth in Negotiations Act (TINA) which calls for liability to be placed initially on the prime contractor. We agree these audit findings are not defective pricing situations under TINA. However we do not agree that findings are overpayments. Rather, we will consider findings to be unallowable costs to the contract. The association stated that they select many vendors using price-analysis/price reasonableness, including competitive bidding, which by definition do not include evaluation of the underlying costs and profit. They recommended we revise the subcontract notification requirement on describing the vendor's profit to "only when applicable". We believe that this is not necessary because if there are no costs or profit to be described, the carrier can so state.

The association commented that the additional notice requirements for subcontracts should be defined more

narrowly (e.g., when the price change in the subcontract is above the threshold, not when the price change plus the initial price exceeds the threshold). We believe it is appropriate to review a subcontract modification that causes the total outlay for the subcontract to equal or exceed the \$550,000 threshold.

The association stated that the 60-day advanced notice for subcontract consent is commercially unworkable. We have revised the notice period to 30 days for subcontracts. The association recommended that the \$550,000 threshold be adjusted by the same amount and at the same time as any change to the threshold for application of the "Truth in Negotiations Act" (TINA). We agree and have made the appropriate change to the regulation. The association commented that it did not think the \$550,000 threshold should apply to evergreen contracts, e.g., contracts that renew automatically unless terminated by one of the parties and recommended we clarify that evergreen contracts not be considered option contracts. We expect advance notification of any subcontract (initial, option or evergreen) where the total price equals or exceeds the \$550,000 threshold. Evergreen contracts and contracts that include an initial contract term with options for renewal would meet the requirement for advance approval when the \$550,000 threshold is expected to be met. For example, if an initial contract is for \$547,000, and a subsequent year's option is for \$5,000, OPM would expect to receive a request for advance approval upon receipt of the \$5,000 option. OPM would need to obtain copies of both the initial and option components of the contract to conduct its review.

The association commented that OPM eliminated the threshold that the subcontract amount charged to the FEHB must be no less than 25 percent of the subcontract's cost. We have restored the 25 percent threshold to the final regulation. The association commented that Federal procurement law does not require TINA's certified cost or pricing data to be submitted to the contracting officer when the subcontract's cost is based on adequate price competition or subcontracts whose price is set by law or regulation, as well as those for commercial items. We agree and have revised the regulation accordingly.

The association commented that our proposed regulation appears to require carriers to comply with the FAR in conducting subcontracting activities. The association stated that the FAR's contract formation rules are directly applicable only to the Federal

Government. We disagree and have not made revisions to the regulation. The association objected to increasing the records retention period from three to six years for patient records and from five to six years for operations records, but recommended that any change to the retention period be made prospectively. We have maintained the uniform six year retention period consistent with existing FAR requirements, but agree to apply the requirement prospectively. Further, any carrier that believes this additional requirement may increase costs may ask the contracting officer for consideration during negotiations on the annual administrative cost ceiling.

We also received comments from a large FEHB fee-for-service plan which agreed with the fee-for-service association's comments and made additional comments of its own. The plan recommended that we clarify the definition of Large Provider Agreement to ensure the requirements applied only to the plan's parent association and not to its individual servicing entities. The plan further indicated that none of its servicing entities constitutes 25 percent of the plan's enrollment. The Large Provider Agreement requirement is intended to apply to carriers' contracts, not local plans that serve under an umbrella arrangement with a carrier. Therefore, we have clarified the definition. Further, since the definition of Large Provider Agreement contains a 25 percent of FEHB enrollment threshold, none of the individual servicing entities in the FEHB would be impacted by our new notice and audit requirements. This means the Large Provider Agreement requirement would apply to such entities as the Blue Cross and Blue Shield Association's Federal Employee Program.

The plan also commented that we should include the 25 percent threshold to the flow-down provision at 1652.222-70, Notice of Significant Events, because without this clause the plan would be required to insert the clause into many subcontracts with minor impact on the Federal contract. We agree and have added the 25 percent threshold.

We received comments from two of the fee-for-service plan's servicing entities that stated if the Large Provider contract auditing requirement was applied to them individually, it would be so administratively onerous as to potentially prohibit their continued participation in the program. As noted above, we have clarified the definition.

We also received comments from a Federal employee union that stated the definition of Large Provider Agreement could result in inequitable results. The

union stated that a relatively small provider could be subject to the definition merely because its subscriber base is disproportionately comprised of FEHB members and a very large insurer could be excluded because its FEHB subscribers do not comprise 25 percent of the plan's enrollees. The union recommended that no provider be considered a Large Provider unless it has a minimum of \$25 million in FEHB subscriber income and any provider with \$50 million or more of FEHB subscriber income be considered a Large Provider. We believe it is reasonable that we should have input on any Large Provider contract that affects a large number of Federal enrollees relative to the health plan's commercial business, regardless of the actual dollar amount of the contract. On the other hand, we do not believe that it is reasonable for us to try and influence a Large Provider contract where FEHB enrollment comprises a minor proportion of the contract's enrollees, compared to the health plan's other commercial business. The union disagreed with our newly proposed section 1631.205-81, Inferred Reasonableness and stated the clause weakened existing procurement law. We believe it is in the best interest of the FEHB Program to provide an incentive to carriers to obtain advanced notification of subcontracts. The union also disagreed with the removal of the three Cost Accounting Standards clauses from the FEHB Program Clause Matrix. The Federal Acquisition Regulation 30.201-5(b)(2) permits the head of an agency to waive the Cost Accounting Standards (CAS) for a particular contract or subcontract under exceptional circumstances when necessary to meet the needs of the agency. We determined that there are sufficient reasons and granted waivers for certain health plans under the FEHB Program. In October 2002, OPM determined that it was appropriate to grant CAS waivers for certain health plans under the FEHB Program for the reasons outlined below. First, OPM determined that the Program has adequate cost accounting requirements in its Federal Employees Health Benefits Acquisition Regulations (FEHBAR), which supplement the Federal Acquisition Regulation. The FEHBAR requires carriers to file annual financial statements. The carriers, and their third party servicing agents, must also adhere to financial and other related standards, comply with an FEHB Program audit guide, and submit to audits by Independent Public Accountants. Second, because OPM has contracted with carriers for twenty to forty years,

it has been able to collect extensive data on each carrier, thus making disclosure statements superfluous. Their existing systems are and have been their benchmarks. Third, the OPM Office of the Inspector General audits health carriers on a regular basis; contract rates, which are negotiated annually, are subject to adjustment for audit findings. Fourth, insurance carriers are subject to State regulatory authorities and must meet State statutory reserve requirements in order to conduct business; in addition, many carriers are required to submit to State rate setting procedures. Accordingly, OPM's statutory oversight and regulatory requirements already in place are sufficient to meet the Government's interests in a much less burdensome way than applying CAS. This new regulation will enhance the financial integrity of the Program and demonstrate to the public and any other interested parties that accounting methods and related financial disclosures by carriers are consistent with sound business practices.

Collection of Information Requirement

This rulemaking imposes additional oversight and audit requirements on individual Federal contractors. The requirements do not represent routine information collection. Carriers are required to provide the information on an individual case-by-case basis only when they are initiating a new Large Provider contract or renewing an existing contract. It does not impose information collection and recordkeeping requirements that meet the definition of the Paperwork Reduction Act of 1995's term "collection of information" which means obtaining, causing to be obtained, soliciting, or requiring the disclosure to third parties or the public, of facts or opinions by or for an agency, regardless of form or format, calling for either answers to identical questions posed to, or identical reporting or recordkeeping requirements imposed on ten or more persons, other than agencies, instrumentalities, or employees of the United States; or answers to questions posed to agencies, instrumentalities, or employees of the United States which are to be used for general statistical purposes. Consequently, it need not be reviewed by the Office of Management and Budget under the authority of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) requires agencies to analyze options for regulatory relief of small businesses. For

purposes of the RFA, small entities include small businesses, nonprofit organizations, and government agencies with revenues of \$11.5 million or less in any one year. This rulemaking affects FEHB Program experience-rated carriers and their Large Provider contractual arrangements which exceed that dollar threshold. Therefore, I certify that this regulation will not have a significant economic impact on a substantial number of small entities.

Regulatory Impact Analysis

We have examined the impact of this final rule as required by Executive Order 12866 (September 1993, Regulatory Planning and Review), the RFA (September 16, 1980, Pub. L. 96-354), section 1102(b) of the Social Security Act, the Unfunded Mandates Reform Act of 1995, (Pub. L. 104-4), and Executive Order 13132. Executive Order 12866 (as amended by Executive Order 13258, which merely assigns responsibility of duties) directs agencies to assess all costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). A regulatory impact analysis (RIA) must be prepared for major rules with economically significant effects (\$100 million or more in any one year). This rule is not considered a major rule, as defined in title 5, United States Code, Section 804(2), because we estimate its impact will only affect FEHB carriers and their Large Provider Agreements and mirrors current FEHB Program practice with regard to carriers' subcontract arrangements. Any economic impact resulting from oversight or audit efforts would not be expected to exceed the dollar threshold.

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 48 CFR Parts 1601, 1602, 1604, 1615, 1631, 1632, 1644, 1646, and 1652

Government employees, Government procurement, Health insurance, Reporting and recordkeeping requirements.

U.S. Office of Personnel Management.

Dan G. Blair,

Acting Director.

■ Accordingly, OPM is amending chapter 16 of title 48 CFR, as follows:

CHAPTER 16—OFFICE OF PERSONNEL MANAGEMENT FEDERAL EMPLOYEES HEALTH BENEFITS ACQUISITION REGULATION

■ 1. The authority citation for 48 CFR parts 1601, 1602, 1604, 1615, 1631, 1632, 1644, 1646, and 1652 continues to read as follows:

Authority: 5 U.S.C. 8913; 40 U.S.C. 486(c); 48 CFR 1.301.

SUBCHAPTER A—GENERAL

PART 1601—FEDERAL ACQUISITION REGULATIONS SYSTEM

Subpart 1601.1—Purpose, Authority, Issuance

1601.105 [Redesignated]

■ 2. Section 1601.105 is redesignated as 1601.106.

PART 1602—DEFINITIONS OF WORDS AND TERMS

Subpart 1602.1—Definitions of FEHB Program Terms

■ 3. In 1602.170–5, paragraph (a) is revised to read as follows:

1602.170–5 Cost or pricing data.

(a) *Experience-rated carriers.* Cost or pricing data for experience-rated carriers includes:

- (1) Information such as claims data;
 - (2) Actual or negotiated benefits payments made to providers of medical services for the provision of healthcare, such as capitation not adjusted for specific groups, including mental health benefits capitation rates, per diems, and Diagnostic Related Group (DRG) payments;
 - (3) Cost data;
 - (4) Utilization data; and
 - (5) Administrative expenses and retentions, including capitated administrative expenses and retentions.
- * * * * *

■ 4. Section 1602.170–7 is revised to read as follows:

1602.170–7 Experience-rate.

Experience-rate means a rate for a given group that is the result of that group's actual paid claims, administrative expenses (including capitated administrative expenses), retentions, and estimated claims incurred but not reported, adjusted for benefit modifications, utilization trends, and economic trends. Actual paid claims include any actual or negotiated benefits payments made to providers of services for the provision of healthcare such as capitation not adjusted for specific groups, including mental health benefits capitation rates, per diems, and DRG payments.

■ 5. Section 1602.170–15 is added to read as follows:

1602.170–15 Large Provider Agreement.

(a) *Large Provider Agreement* means an agreement between —

(1) An FEHB carrier, at least 25 percent of which total contracts are FEHB enrollee contracts, and

(2) A vendor of services or supplies such as mail order pharmacy services, pharmacy benefit management services, mental health and/or substance abuse management services, preferred provider organization services, utilization review services, and/or large case or disease management services. This representative list includes organizations that own or contract with direct providers of healthcare or supplies, or organizations that process claims or manage patient care. A hospital is not considered to be a vendor for purposes of this chapter.

(i) Where the total costs charged to the FEHB carrier for a contract term for FEHB members, including benefits and services, are reasonably expected to exceed 5 percent of the carrier's total FEHB benefits costs, or

(ii) Where the total administrative costs charged to the FEHB carrier for the contract term for FEHB members are reasonably expected to exceed 5 percent of the carrier's total FEHB administrative costs (applicable to agreements where the provider is not responsible for FEHB benefits costs).

(3) As used in this section, the term "carrier" does not include local health plans that serve under an umbrella arrangement with an FEHB carrier.

(b) The FEHB Program Annual Accounting Statement for the FEHB Plan for the prior contract year will be used to determine the 5 percent threshold under Large Provider Agreements.

(c) Large Provider Agreements based on cost analysis are subject to the provisions of FAR 52.215–2, "Audit and Records-Negotiation."

(d) Large Provider Agreements based on price analysis are subject to the provisions of 48 CFR 1646.301 and 1652.246–70.

PART 1604—ADMINISTRATIVE MATTERS

■ 6. Subpart 1604.72 is added to read as follows:

Subpart 1604.72—Large Provider Agreements

Sec.

1604.7201 FEHB Program Large Provider Agreements.

1604.7202 Large Provider Agreement clause.

Authority: 5 U.S.C. 8913; 40 U.S.C. 486(c); 48 CFR 1.301.

1604.7201 FEHB Program Large Provider Agreements.

The following provisions apply to all experience-rated carriers participating in the FEHB Program:

(a) *Notification and information requirements.* (1) All experience-rated carriers must provide notice to the contracting officer of their intent to enter into or to make a significant modification to a Large Provider Agreement. Significant modification means a 20% increase or more in the amount of the Large Provider Agreement:

(i) Not less than 60 days before entering into any Large Provider Agreement; and

(ii) Not less than 60 days before exercising renewals or other options, or making a significant modification.

(2) The carrier's notification to the contracting officer must be in writing and must, at a minimum:

(i) Describe the supplies and/or services the proposed provider agreement will require;

(ii) Identify the proposed basis for reimbursement;

(iii) Identify the proposed provider agreement, explain why the carrier selected the proposed provider, and, where applicable, what contracting method it used, including the kind of competition obtained;

(iv) Describe the methodology the carrier used to compute the provider's profit; and, (v) Describe the provider risk provisions.

(3) The contracting officer may request from the carrier any additional information on a proposed provider agreement and its terms and conditions prior to a Large Provider award and during the performance of the agreement.

(4) Within 30 days of receiving the carrier's notification, the contracting officer will either give the carrier written comments or written notice that there will be no comments. If the contracting officer comments, the carrier must respond in writing within 10 calendar days and explain how it intends to address any concerns.

(5) When computing the carrier's annual service charge, the contracting officer will consider how well the carrier complies with the provisions of this section, including the advance notification requirements, as an aspect of the carrier's performance factor.

(6) The contracting officer's review of any Large Provider agreement, option, renewal, or modification will not constitute a determination of the

acceptability of terms or conditions of any provider agreement or the allowability of any costs under the carrier's contract, nor will it relieve the carrier of any responsibility for performing the contract.

(b) *Records and inspection.* The carrier must insert in all Large Provider Agreements the requirement that the provider will retain and make available to the Government all records relating to the agreement as follows:

(1) Records that support the annual statement of operations—Retain for 6 years after the agreement term ends.

(2) Enrollee records, if applicable—Retain for 6 years after the agreement term ends.

(c) Large Provider Agreements based on cost analysis are subject to the provisions of FAR 52.215–2, "Audit and Records-Negotiation."

(d) Large Provider Agreements based on price analysis are subject to the provisions of 48 CFR 1646.301 and 1652.246–70.

1604.7202 Large Provider Agreement clause.

The contracting officer will insert the clause set forth at section 1652.204–74 in all experience-rated FEHB Program contracts.

SUBCHAPTER C—CONTRACTING METHODS AND CONTRACT TYPES

PART 1615—CONTRACTING BY NEGOTIATION

■ 7. A new § 1615.070 is added immediately before Subpart 1615.1 to read as follows:

1615.070 Negotiation authority.

The authority to negotiate FEHB contracts is conferred by 5 U.S.C. 8902.

■ 8. Subpart 1615.1 is revised to read as follows:

Subpart 1615.1—Source Selection Processes and Techniques.

1615.170 Applicability.

FAR Subpart 15.1 has no practical application to the FEHB Program because prospective contractors (carriers) are considered for inclusion in the FEHB Program according to criteria in 5 U.S.C. chapter 89 and 5 CFR part 890 rather than by competition between prospective carriers.

■ 9. Subpart 1615.2 is added to read as follows:

Subpart 1615.2—Solicitations and Receipt of Proposals and Information

1615.270 Applicability.

FAR subpart 15.2 has no practical application to the FEHB Program

because OPM does not issue formal procurement solicitations to health benefits carriers. Eligible contractors (*i.e.*, qualified health benefits carriers) are identified in accordance with 5 U.S.C. 8903. Offerors voluntarily come forth in accordance with procedures provided in 5 CFR part 890.

Subpart 1615.6 [Redesignated]

■ 10. Subpart 1615.6 is redesignated as Subpart 1615.3.

1615.202 [Redesignated and amended]

■ 10a. Section 1615.602 is redesignated as 1615.370 and amended by removing “15.6” and adding in its place “15.3”.

■ 11. Subpart 1615.4 is revised to read as follows:

Subpart 1615.4—Contract Pricing

Sec.

1615.402 Pricing policy.

1615.404–4 Profit.

1615.404–70 Profit analysis factors.

1615.406–2 Certificate of accurate cost or pricing data for community-rated carriers.

1615.407–1 Rate reduction for defective pricing or defective cost or pricing data.

1615.470 Carrier investment of FEHB funds.

1615.470–1 Investment income clause.

Authority: 5 U.S.C. 8913; 40 U.S.C. 486(c); 48 CFR 1.301.

1615.402 Pricing policy.

Pricing of FEHB contracts is governed by 5 U.S.C. 8902(i), 5 U.S.C. 8906, and other applicable law. FAR subpart 15.4 will be implemented by applying its policies and procedures—to the extent practicable—as follows:

(a) For both experience-rated and community-rated contracts for which the FEHB Program premiums for the contract term will be less than the threshold at FAR 15.403–4(a)(1), OPM will not require the carrier to provide cost or pricing data in the rate proposal for the following contract term.

(b) Cost analysis will be used for contracts where premiums and subscription income are determined on the basis of experience rating.

(c)(1) A combination of cost and price analysis will be used for contracts where premiums and subscription income are based on community-rates. For contracts for which the FEHB Program premiums for the contract term will be less than the threshold at FAR 15.403–4(a)(1), OPM will not require the carrier to provide cost or pricing data. The carrier is required to submit only a rate proposal and abbreviated utilization data for the applicable contract year. OPM will evaluate the proposed rates by performing a basic reasonableness test on the information submitted. Rates

failing this test will be subject to further review.

(2) For contracts with fewer than 1,500 enrollee contracts for which the FEHB Program premiums for the contract term will be at or above the threshold at FAR 15.403–4(a)(1), OPM will require the carrier to submit its rate proposal, utilization data, and the certificate of accurate cost or pricing data required in 1615.406–2. In addition, OPM will require the carrier to complete the proposed rates form containing cost and pricing data, and the Community-Rate Questionnaire, but will not require the carrier to send these documents to OPM. The carrier will keep the documents on file for periodic auditor and actuarial review in accordance with 1652.204–70. OPM will perform a basic reasonableness test on the data submitted. Rates that do not pass this test will be subject to further OPM review.

(3) For contracts with 1,500 or more enrollee contracts for which the FEHB Program premiums for the contract term will be at or above the threshold at FAR 15.403–4(a)(1), OPM will require the carrier to provide the data and methodology used to determine the FEHB Program rates. OPM will also require the data and methodology used to determine the rates for the carrier's similarly sized subscriber groups. The carrier will provide cost or pricing data required by OPM in its rate instructions for the applicable contract period. OPM will evaluate the data to ensure that the rate is reasonable and consistent with the requirements in this chapter. If necessary, OPM may require the carrier to provide additional documentation.

(4) Contracts will be subject to a downward price adjustment if OPM determines that the Federal group was charged more than it would have been charged using a methodology consistent with that used for the similarly-sized subscriber groups (SSSGs). Such adjustments will be based on the lower of the two rates determined by using the methodology (including discounts) the carrier used for the two SSSGs.

(5) FEHB Program community-rated carriers will comply with SSSG criteria provided by OPM in the rate instructions for the applicable contract period.

(d) The application of FAR 15.402(b)(2) should not be construed to prohibit the consideration of preceding year surpluses or deficits in carrier-held reserves in the rate adjustments for subsequent year renewals of contracts based, in whole or in part, on cost analysis.

1615.404–4 Profit.

(a) When the pricing of FEHB Program contracts is determined by cost analysis, OPM will determine the profit or fee prenegotiation objective (service charge) portion of the contracts by use of a weighted guidelines structured approach. The service charge so determined will be the total service charge that may be negotiated for the contract and will encompass any service charge (whether entitled service charge, profit, fee, contribution to reserves or surpluses, or any other title) that may have been negotiated by the prime contractor with any subcontractor or underwriter.

(b) OPM will not guarantee a minimum service charge.

1615.404–70 Profit analysis factors.

(a) OPM contracting officers will apply a weighted guidelines method in developing the service charge prenegotiation objective for FEHB Program contracts. The following factors, as defined in FAR 15.404–4(d), will be applied to projected incurred claims and allowable administrative expenses:

(1) *Contractor performance.* OPM will consider such elements as the accurate and timely processing of benefit claims and the volume and validity of disputed claims as measures of economical and efficient contract performance. This factor will be judged apart from the contractor's basic responsibility for contract performance and will be a measure of the extent and nature of the contractor's contribution to the FEHB Program through the application of managerial expertise and effort. Evidence of effective contract performance will receive a plus weight, and poor performance or failure to comply with contract terms and conditions a negative weight. Innovations of benefit to the FEHB Program will generally result in a positive weight; documented inattention or indifference to cost control will generally result in a negative weight.

(2) *Contract cost risk.* In assessing the degree of cost responsibility and associated risk assumed by the contractor as a factor to be considered in negotiating profit, OPM will consider such underwriting elements as the availability of margins, group size, enrollment demographics and fluctuation, and the probability of conversion and adverse selection, as well as the extent of financial assistance the carrier renders to the contract. However, the “loss carry forward basis” of experience-rated group insurance practices, which mitigates contract risk, will likely serve to diminish this profit

analysis factor in an overall determination of profit. This factor is intended to provide profit opportunities commensurate with the contractor's share of cost risks only, taking into account elements such as the adequacy and reliability of data for estimating costs.

(3) *Federal socioeconomic programs.* OPM will consider documented evidence of successful, contractor-initiated efforts to support Federal socioeconomic programs such as drug and substance abuse deterrents and concerns of the type enumerated in FAR 15.404-4(d)(iii), as a factor in negotiating profit. This factor will be assessed by considering the quality of the contractor's policies and procedures and the extent of unusual effort or achievement demonstrated. Evidence of effective support of Federal socioeconomic programs will receive a positive weight; poor support will receive a negative weight.

(4) *Capital investments.* This factor is generally not applicable to FEHB Program contracts because facilities capital cost of money may be an allowable administrative expense. Generally, this factor will be given a weight of zero. However, special purpose facilities or investment costs of direct benefit to the FEHB Program that are not recoverable as allowable or allocable administrative expenses may be taken into account in assigning a positive weight.

(5) *Cost control.* OPM will consider contractor-initiated efforts such as improved benefit design, cost-sharing features, innovative peer review, or other professional cost containment efforts as a factor in negotiating profit. OPM will use this factor to reward contractors with additional profit opportunities for self-initiated efforts to control contract costs.

(6) *Independent development.* OPM will consider any profit opportunities that may be directly related to relevant independent efforts such as the development of a unique and enhanced customer support system that is of demonstrated value to the FEHB Program and for which developmental costs have not been recovered directly or indirectly through allowable administrative expenses. OPM will use this factor to provide additional profit opportunities based upon an assessment of the contractor's investment and risk in developing techniques, methods, and practices having viability to the program at large. OPM will not consider improvements and innovations recognized and rewarded under any of the other profit factors.

(b) The following weight ranges for each factor are used in the weighted guidelines approach:

| Profit factor | Weight ranges (percent) |
|------------------------------------|-------------------------|
| 1. Contractor performance | -.2 to + .45 |
| 2. Contract cost risk * | +.02 to + .2 |
| 3. Federal socioeconomic programs. | -.05 to + .05 |
| 4. Capital investments | 0 to + .02 |
| 5. Cost control | 0 to + .35 |
| 6. Independent development | 0 to + .03 |

*The contract cost risk factor is subdivided into two parts: group size (.02 to .10) and other risk elements (0 to .10). With respect to the group size element, subweights should be assigned as follows:

| Enrollment | Weight (percent) |
|------------------------|------------------|
| 10,000 or less | .06 to .10 |
| 10,001-50,000 | .05 to .09 |
| 50,001-200,000 | .04 to .07 |
| 200,001-500,000 | .03 to .06 |
| 500,001 and over | .02 to .04 |

1615.406-2 Certificate of accurate cost or pricing data for community-rated carriers.

The contracting officer will require a carrier with a contract meeting the requirements in 1615.402(c)(2) or 1615.402(c)(3) to execute the Certificate of Accurate Cost or Pricing Data contained in this section. A carrier with a contract meeting the requirements in 1615.402(c)(2) will complete the Certificate and keep it on file at the carrier's place of business in accordance with 1652.204-70. A carrier with a contract meeting the requirements in 1615.402(c)(3) will submit the Certificate to OPM along with its rate reconciliation, which is submitted during the first quarter of the applicable contract year.

Certificate of Accurate Cost or Pricing Data for Community-Rated Carriers

This is to certify that, to the best of my knowledge and belief: (1) The cost or pricing data submitted (or, if not submitted, maintained and identified by the carrier as supporting documentation) to the Contracting officer or the Contracting officer's representative or designee, in support of the _____ *FEHB Program rates were developed in accordance with the requirements of 48 CFR Chapter 16 and the FEHB Program contract and are accurate, complete, and current as of the date this certificate is executed; and (2) the methodology used to determine the FEHB Program rates is consistent with the methodology used to determine the rates for the carrier's Similarly Sized Subscriber Groups.

Firm: _____
Name: _____
Signature: _____
Date of Execution: _____

*Insert the year for which the rates apply. Normally, this will be the year for which the rates are being reconciled.

(End of Certificate)

1615.407-1 Rate reduction for defective pricing or defective cost or pricing data.

The clause set forth in section 1652.215-70 will be inserted in FEHB Program contracts, at or above the threshold in FAR 15.403-4(a)(1), that are based on a combination of cost and price analysis (community-rated).

1615.470 Carrier investment of FEHB funds.

(a) Except for contracts based on a combination of cost and price analysis (community-rated), the carrier is required to invest and reinvest all funds on hand, including any attributable to the special reserve or the reserve for incurred but unpaid claims, exceeding the funds needed to discharge promptly the obligations incurred under the contract.

(b) The carrier is required to credit income earned from its investment of FEHB funds to the special reserve on behalf of the FEHB Program. If a carrier, for any reason, fails to invest excess FEHB funds or to credit any income due to the contract, it will return or credit any investment income lost to OPM or the special reserve.

(c) Investment income. Investment income is the net amount earned by the carrier after deducting investment expenses.

1615.470-1 Investment income clause.

The clause set forth in 1652.215-71 will be inserted in all FEHB contracts based on cost analysis.

Subpart 1615.8 [Removed and Reserved]

■ 12. Subpart 1615.8 is removed and reserved.

Subpart 1615.9 [Removed and Reserved]

■ 13. Subpart 1615.9 is removed and reserved.

■ 14. Subpart 1615.70 is added to read as follows:

Subpart 1615.70—Audit and Records—Negotiation

1615.7001 Audit and records.

The Contracting officer will modify 52.215-2 in all FEHB Program experience-rated contracts by amending paragraph (g) of that section to replace the words "exceed the simplified acquisition threshold" with "equals or exceeds \$550,000." This amount shall be adjusted by the same amount and at

the same time as any change to the threshold for application of the Truth in Negotiations Act pursuant to 41 U.S.C. 254b(a)(7).

SUBCHAPTER E—GENERAL CONTRACTING REQUIREMENTS

PART 1631—CONTRACT COST PRINCIPLES AND PROCEDURES

Subpart 1631.2—Contracts With Commercial Organizations

- 15. A new 1631.205–81 is added to Subpart 1631.2 to read as follows:

1631.205–81 Inferred reasonableness.

If the carrier follows the notification and consent requirements of paragraphs (a), (b) and (c) of 1652.244–70, and subsequently obtains the Contracting officer's consent or ratification, then the reasonableness of the subcontract's costs shall be inferred.

PART 1632—CONTRACT FINANCING

Subpart 1632.1—General

1632.170 [Amended]

- 16. In 1632.170, remove paragraph (c).

Subpart 1632.7—Contract Funding

1632.771 [Amended]

- 17. In 1632.771 paragraph (d), remove “1652.232–70” and add in its place “1652.232–72.”

1632.772 [Amended]

- 18. In 1632.772, remove “1652.232–70” and add in its place “1652.232–72.”

SUBCHAPTER G—CONTRACT MANAGEMENT

PART 1644—SUBCONTRACTING POLICIES AND PROCEDURES

Subpart 1644.1—General

- 19. Section 1644.170 is revised to read as follows:

1644.170 Policy for FEHB Program subcontracting.

(a) *General policy.* Carriers shall follow appropriate procurement procedures that comply with the FAR policies and procedures relating to competition and contract pricing for the acquisition of both commercial and non-commercial items.

(b) *Consent.* For all experience-rated contracts, carriers will notify the Contracting officer in writing at least 30 days in advance of entering into any subcontract or subcontract modification, or as otherwise specified by the contract, if: the amount of the subcontract or the amount of the

subcontract and modification charged to the FEHB Program equals or exceeds \$550,000 and is at least 25 percent of the total subcontract's costs. The amount of the dollar charge to the FEHB Program shall be adjusted by the same amount and at the same time as any change to the threshold for application of the Truth in Negotiations Act pursuant to 41 U.S.C. 254b(a)(7). Failure to provide advance notice may result in a Contracting officer's disallowance of subcontract costs or a penalty when considering the performance aspect of the carriers' service charge.

(1) All subcontracts or subcontract modifications that equal or exceed the threshold are subject to audit under FAR 52.215–2 “Audit and Records-Negotiations” if based on cost analysis, and subject to the provisions of 48 CFR 1646.301 and 1652.246–70 “FEHB Inspection” if based on price analysis.

(2) In determining whether the amount chargeable to the FEHB Program contract for a given subcontract or modification equals or exceeds the \$550,000 threshold, the following rules apply:

(i) For initial advance notification, the carrier shall provide the total cost/price for the base year.

(ii) The carrier shall provide advance notification of any modifications, options, including quantity or service options and option periods, and renewals of “evergreen contracts” that cause the total price to equal or exceed the threshold. OPM's review will be of the modification(s), itself, but documentation for the original subcontract will be required to perform the review.

(iii) The \$550,000 threshold will be adjusted by the same amount and at the same time as any change to the threshold for application of the Truth in Negotiations Act.

PART 1646—QUALITY ASSURANCE

Subpart 1646.2—Contract Quality Requirements

- 20. Subpart 1646.2—Contract Quality Requirements is revised as follows:

Subpart 1646.2—Contract Quality Requirements

1646.201 Contract Quality Policy.

(a) This section prescribes general policies and procedures to ensure that services acquired under the FEHB contract conform to the contract's quality and audit requirements.

(b) OPM will periodically evaluate the contractor's system of internal controls under the quality assurance program required by the contract and will

acknowledge in writing whether or not the system is consistent with the requirements set forth in the contract. After the initial review, subsequent reviews may be limited to changes in the contractor's internal control guidelines. However, a limited review does not diminish the contractor's obligation to apply the full internal control system.

(c) OPM will issue specific quality performance standards for the FEHB contracts and will inform carriers of the applicable standards prior to negotiations for the contract year. OPM will benchmark its standards against standards generally accepted in the insurance industry. The contracting officer may authorize nationally recognized standards to be used to fulfill this requirement. FEHB carriers will comply with the performance standards issued by OPM.

(d) In addition to reviewing carriers' quality assurance programs, OPM will periodically audit contractors, subcontractors and Large Providers' books and records to assure compliance with FEHB law, regulations, and the contract.

SUBCHAPTER H—CLAUSES AND FORMS

PART 1652—CONTRACT CLAUSES

Subpart 1652.2—Texts of FEHB Clauses

- 21. Section § 1652.204–70 is revised to read as follows:

1652.204–70 Contractor records retention.

As prescribed in 1604.705 the following clause will be inserted in all FEHB Program contracts.

Contractor Records Retention (Jan 2004)

Notwithstanding the provisions of Section 5.7 (FAR 52.215–2(f)) “Audit and Records—Negotiation” the carrier will retain and make available all records applicable to a contract term that support the annual statement of operations and, for contracts that equal or exceed the threshold at FAR 15.403–4(a)(1), the rate submission for that contract term for a period of six years after the end of the contract term to which the records relate. This includes all records of Large Provider Agreements and subcontracts that equal or exceed the threshold requirements. In addition, individual enrollee and/or patient claim records will be maintained for six years after the end of the contract term to which the claim records relate. This clause is effective prospectively as of the 2004 contract year.

(End of Clause)

- 22. Section 1652.204–74 is added to read as follows:

1652.204–74 Large provider agreements.

As prescribed by 1604.7202, the contracting officer will insert the following clause in all FEHB Program contracts based on cost analysis (experience-rated):

Large Provider Agreements (Jan 2004)

(a) *Notification and Information Requirements.* (1) The experience-rated Carrier must provide notice to the contracting officer of its intent to enter into or to make a significant modification of a Large Provider Agreement:

(i) Not less than 60 days before entering into any Large Provider Agreement; and
(ii) Not less than 60 days before exercising a renewal or other option, or significant modification to a Large Provider Agreement, when such action would result in total costs to the FEHB Program of an additional 20 percent or more above the existing contract. This amount shall be adjusted by the same amount and at the same time as any change to the threshold for application of the Truth in Negotiations Act pursuant to 41 U.S.C. 254b(a)(7). However, if a carrier is exercising a simple renewal or other option contemplated by a Large Provider Agreement that OPM previously reviewed, and there are no significant changes, then a statement to the effect that the renewal or other option is being exercised along with the dollar amount is sufficient notice.

(2) The carrier's notification to the contracting officer must be in writing and must, at a minimum:

(i) Describe the supplies and/or services the proposed provider agreement will require;
(ii) Identify the proposed basis for reimbursement;
(iii) Identify the proposed provider agreement, explain why the carrier selected the proposed provider, and what contracting method it used, where applicable, including the kind of competition obtained;
(iv) Describe the methodology the carrier used to compute the provider's profit; and,
(v) Describe provider risk provisions.
(3) The Contracting officer may request from the carrier any additional information on a proposed provider agreement and its terms and conditions prior to a provider award and during the performance of the agreement.

(4) Within 30 days of receiving the carrier's notification, the Contracting officer will give the carrier either written comments or written notice that there will be no comments. If the Contracting officer comments, the carrier must respond in writing within 10 calendar days, and explain how it intends to address any concerns.

(5) When computing the carrier's service charge, the Contracting officer will consider how well the carrier complies with the provisions of this section, including the advance notification requirements, as an aspect of the carrier's performance factor.

(6) The Contracting officer's review of any Large Provider Agreement, option, renewal, or modification will not constitute a determination of the acceptability of the terms and conditions of any provider agreement or of the allowability of any costs

under the carrier's contract, nor will it relieve the carrier of any responsibility for performing the contract.

(b) *Records and Inspection.* The carrier must insert in all Large Provider Agreements the requirement that the provider will retain and make available to the Government all records relating to the agreement that support the annual statement of operations and enrollee records—Retain for 6 years after the agreement term ends.

(c) *Audit and Records—Negotiation.* The provisions of FAR 52.215–2, “Audit and Records—Negotiation,” when required, or FEHBAR 1652.246–70, “FEHB Inspection” apply to all experience-rated Carriers' Large Provider Agreements. The Carrier will insert the clauses at FAR 52.215–2, when applicable, or FEHBAR 1652.246–70 in all Large Provider Agreements. In FAR 52.215–2 the carrier will substitute:

(1) The term “Large Provider” for the term “Contractor” throughout the clause, and

(2) The term “Large Provider Agreement” for the term “Subcontracts” in paragraph (g) of FAR 52.215–2. The term “Contracting officer” will mean the FEHB Program Contracting officer at OPM. The carrier will be responsible for ensuring the Large Provider complies with the provisions set forth in the clause.

(d) *Prohibited Agreements.* No provider agreement made under this contract will provide for payment on a cost-plus-a-percentage-of-cost basis.

(e) The carrier will insert this clause, 1652.204–74, in all Large Provider Agreements.

(End of Clause)

1652.215–70 (Amended)

■ 23. Amend Section 1652.215–70 as follows:

■ A. In the introductory text of section 1652.215–70, remove “1615.804–72” and add in its place “1615.407–1” and remove “15.804–2(a)(1)” and add in its place “15.403–4(a)(1)”.

■ B. In the clause title, remove “JAN 2000” and add in its place “JAN 2004”.

■ C. In paragraph (a)(1) of the clause remove “1615.804–70” and add in its place “1615.406–2” and

■ D. Remove paragraph (d).

1652.215–71 [Amended]

■ 24. In the introductory text of section 1652.215–71, remove “1615.805–71” and add in its place “1615.470–1”.

1652.216–70 [Amended]

■ 25. In Section 1652.216–70,

■ A. Remove “JAN 2000” in the clause title and add in its place “JAN 2003” and
■ B. Remove paragraph (c) of the clause.

1652.216–71 [Amended]

■ 26. In 1652.216–71:

■ A. Remove “JAN 2000” in the clause title and add in its place “JAN 2003” and
■ B. Remove paragraph (d) of the clause.

■ 27. In the clause in section 1652.222–70, the clause heading and paragraph (d) are revised to read as follows:

1652.222–70 Notice of Significant Events.

* * * * *

Notice of Significant Events (Jan 2001)

* * * * *

(d) The carrier will insert this clause in any subcontract or subcontract modification if the amount of the subcontract or modification charged to the FEHB Program (or in the case of a community-rated carrier, applicable to the FEHB Program) equals or exceeds \$550,000 and is at least 25 percent of the total subcontract cost. The amount of the dollar charge to the FEHB Program shall be adjusted by the same amount and at the same time as any change to the threshold for application of the Truth in Negotiations Act pursuant to 41 U.S.C. 254b(a)(7).

(End of Clause)

■ 28. Section 1652.244–70 is revised to read as follows:

1652.244–70 Subcontracts.

As prescribed in section 1644.270, the following clause will be inserted in all FEHB Program contracts based on cost analysis (experience-rated):

Subcontracts (Jan 2004)

(a) The carrier will notify the Contracting officer in writing at least 30 days in advance of entering into any subcontract or subcontract modification, or as otherwise specified by this contract, if the amount of the subcontract or modification charged to the FEHB Program equals or exceeds \$550,000 and is at least 25 percent of the total subcontract cost. The amount of the dollar charge to the FEHB Program shall be adjusted by the same amount and at the same time as any change to the threshold for application of the Truth in Negotiations Act pursuant to 41 U.S.C. 254b(a)(7). Failure to provide advance notice may result in a Contracting officer's disallowance of subcontract costs or a penalty in the performance aspect of the carrier's service charge. In determining whether the amount chargeable to the FEHB Program contract for a given subcontract or modification equals or exceeds the \$550,000 threshold, the following rules apply:

(1) For initial advance notification, the carrier shall add the total cost/price for the base year and all options, including quantity or service options and option periods.

(2) For contract modifications, options and/or renewals (e.g. evergreen contracts) not accounted for in paragraph (a)(1) of this clause, the carrier shall provide advance notification if they cause the total price to equal or exceed the threshold. OPM's review will be of the modification(s), itself, but documentation for the original subcontract will be required to perform the review. The \$550,000 threshold will be adjusted by the same amount and at the same time as any change to the threshold for application of the Truth in Negotiations Act. All subcontracts or subcontract modifications that equal or exceed the threshold are subject to audit

under FAR 52.215-2 "Audit and Records—Negotiations" if based on cost analysis or 48 CFR 1646.301 and 1552.246-70 "FEHB Inspection" if based on price analysis.

(b) The advance notification required by paragraph (a) of this clause will include the information specified below:

(1) A description of the supplies or services to be subcontracted;

(2) Identification of the type of subcontract to be used;

(3) Identification of the proposed subcontractor and an explanation of why and how the proposed subcontractor was selected, including the competition obtained;

(4) The proposed subcontract price and the carrier's cost or price analysis;

(5) The subcontractor's current, complete, and accurate cost or pricing data and a Certificate of Current Cost or Pricing Data must be submitted to the Contracting officer if required by law, regulation, or other contract provisions.

(6) (Reserved)

(7) A negotiation memorandum reflecting—

(i) The principal elements of the subcontract price negotiations;

(ii) The most significant consideration controlling establishment of initial or revised prices;

(iii) An explanation of the reason cost or pricing data are not required, if the carrier believes that cost or pricing data are not required.

(iv) The extent, if any, to which the carrier did not rely on the subcontractor's cost or pricing data in determining the price objective and in negotiating the final price;

(v) The extent, if any, to which it was recognized in the negotiation that the subcontractor's cost or pricing data were not accurate, complete, or current; the action taken by the carrier and the subcontractor; and the effect of any such defective data on the total price negotiated;

(vi) The reasons for any significant difference between the carrier's price objective and the price negotiated; and

(vii) A complete explanation of the incentive fee or profit plan, when incentives are used. The explanation will identify each critical performance element, management decisions used to quantify each incentive element, reasons for the incentives, and a summary of all trade-off possibilities considered.

(c) The carrier will obtain the Contracting officer's written consent before placing any subcontract for which advance notification is required under paragraph (a) of this clause. However, the Contracting officer may ratify

in writing any such subcontract for which written consent was not obtained. Ratification will constitute the consent of the Contracting officer.

(d) The Contracting officer may waive the requirement for advance notification and consent required by paragraphs (a), (b) and (c) of this clause where the carrier and subcontractor submit an application or renewal as a contractor team arrangement as defined in FAR Subpart 9.6 and—

(1) The Contracting officer evaluated the arrangement during negotiation of the contract or contract renewal; and

(2) The subcontractor's price and/or costs were included in the Plan's rates that were reviewed and approved by the Contracting officer during negotiation of the contract or contract renewal.

(e) If the carrier follows the notification and consent requirements of paragraphs (a), (b) and (c) of this clause and subsequently obtains the Contracting officer's consent or ratification, then the reasonableness of the subcontract's costs will be inferred as provided for in 1631.205-81. However, consent or ratification by the Contracting officer will not constitute a determination:

(1) Of the acceptability of any subcontract terms or conditions;

(2) Of the allowability of any cost under this contract; or

(3) That the carrier should be relieved of any responsibility for performing this contract.

(f) No subcontract placed under this contract will provide for payment on a cost-plus-a-percentage-of-cost basis. Any fee payable under cost reimbursement type subcontracts will not exceed the fee limitations in FAR 15.404-4(c)(4)(i). Any profit or fee payable under a subcontract will be in accordance with the provision of Section 3.7, *Service Charge*.

(g) The carrier will give the Contracting officer immediate written notice of any action or suit filed and prompt notice of any claim made against the carrier by any subcontractor or vendor that, in the opinion of the carrier, may result in litigation related in any way to this contract with respect to which the carrier may be entitled to reimbursement from the Government.

(End of Clause)

■ 29. Section 1652.246-70 is revised to read as follows:

1652.246-70 FEHB Inspection.

As prescribed in 1646.301, the following clause will be inserted in all FEHB contracts:

FEHB Inspection (Jan 2004)

(a) The Contracting officer, or an authorized representative of the Contracting officer, has the right to inspect or evaluate the work performed or being performed under the contract, and the premises where the work is being performed, at all reasonable times and in a manner that will not unreasonably delay the work.

(b) The Contractor shall maintain and the Contracting officer, or an authorized representative of the Contracting officer, shall have the right to examine and audit all books and records relating to the contract for purposes of the Contracting officer's determination of the carrier's subcontractor or Large Provider's compliance with the terms of the contract, including its payment (including rebate and other financial arrangements) and performance provisions. The Contractor shall make available at its office at all reasonable times those books and records for examination and audit for the record retention period specified in the Federal Employees Health Benefits Acquisition Regulation (FEHBAR), 48 CFR 1652.204-70. This subsection is applicable to subcontract and Large Provider Agreements with the exception of those that are subject to the "Audits and Records—Negotiation" clause, 48 CFR 52.215-2.

(c) If the Contracting officer, or an authorized representative of the Contracting officer, performs inspection, audit or evaluation on the premises of the carrier, the subcontractor, or the Large Provider, the carrier shall furnish or require the subcontractor or Large Provider to furnish all reasonable facilities for the same and convenient performance of these duties.

(d) The carrier shall insert this clause, including this subsection (d), in all subcontracts for underwriting and claim payments and administrative services and in all Large Provider Agreements and shall substitute "contractor" "Large Provider," or other appropriate reference for the term "carrier."

(End of clause)

Subpart 1652.3—FEHB Clause Matrix

■ 30. In section 1652.370, the FEHB Clause Matrix, is revised to read as follows:

1652.370 Use of the Matrix.

* * * * *

BILLING CODE 6325-39-P

FEHB CLAUSE MATRIX

| Clause No. | Text Reference | Title | Use Status | Use With Experience Rated Contracts | Use With Community Rated Contracts |
|---------------|----------------|--|------------|-------------------------------------|------------------------------------|
| FAR 52.202-1 | FAR 2.201 | Definitions | M | T | T |
| FAR 52.203-3 | FAR 3.202 | Gratuities | M | T | T |
| FAR 52.203-5 | FAR 3.404 | Covenant Against Contingent Fees | M | T | T |
| FAR 52.203-7 | FAR 3.502-3 | Anti-Kickback Procedures | M | T | T |
| FAR 52.203-12 | FAR 3.808(b) | Limitation on Payments to Influence Certain Federal Transactions | M | T | T |
| 1652.203-70 | 1603-7003 | Misleading, Deceptive, or Unfair Advertising | M | T | T |
| 1652.204-70 | 1604.705 | Contractor Records Retention | M | T | T |
| 1652.204-71 | 1604.7001 | Coordination of Benefits | M | T | T |
| 1652.204-72 | 1604.7101 | Filing Health Benefit Claims/Court Review of Disputed Claims | M | T | T |
| 1652.204-73 | 1604.970 | Taxpayer Identification Number | M | T | T |
| 1652.204-74 | 1604.7202 | Large Provider Agreements | M | T | T |
| FAR 52.209-6 | FAR 9.409(b) | Protecting the Government's Interest When Subcontracting With Contractors Debarred, Suspended, or Proposed for Debarment | M | T | T |
| FAR 52.215-2 | FAR 15.209(b) | Audit & Records—Negotiation | A | T | T |
| FAR 52.215-10 | FAR 15.408(b) | Price Reduction for Defective Cost or Pricing Data | M | T | T |
| FAR 52.215-12 | FAR 15.408(d) | Subcontractor Cost or Pricing Data | M | T | T |
| FAR 52.215-15 | FAR 15.408(g) | Pension Adjustments and Asset Reversions | M | T | T |
| FAR 52.215-16 | FAR 15.408(h) | Facilities Capital Cost of Money | M | T | T |
| FAR 52.215-17 | FAR 15.408(i) | Waiver of Facilities Capital Cost of Money | A | T | T |
| FAR 52.215-18 | FAR 15.408(j) | Reversion or Adjustment of Plans for Postretirement Benefits (PRB) Other Than Pensions | M | T | T |

| Clause No. | Text Reference | Title | Use Status | Use With Experience Rated Contracts | Use With Community Rated Contracts |
|---------------|------------------|---|------------|-------------------------------------|------------------------------------|
| 1652.215-70 | 1615.407-70 | Rate Reduction for Defective Pricing or Defective Cost or Pricing Data | M | | T |
| 1652.215-71 | 1615.407-72 | Investment Income | M | T | |
| 1652.216-70 | 1616.7001 | Accounting and Price Adjustment | M | | T |
| 1652.216-71 | 1616.7002 | Accounting and Allowable Cost | M | T | |
| FAR 52.219-8 | FAR 19.708(a) | Utilization of Small Business Concerns | M | T | T |
| FAR 52.222-1 | FAR 22.103-5(a) | Notice to the Government of Labor Disputes | M | T | T |
| FAR 52.222-3 | FAR 22.202 | Convict Labor | M | T | T |
| FAR 52.222-4 | FAR 22.305 | Contract Work Hours and Safety Standards Act—Overtime Compensation | M | T | T |
| FAR 52.222-21 | FAR 22.810(a)(1) | Prohibition of Segregated Facilities | M | T | T |
| FAR 52.222-26 | FAR 22.810(a) | Equal Opportunity | M | T | T |
| FAR 52.222-29 | FAR 22.810(g) | Notification of Visa Denial | A | T | T |
| FAR 52.222-35 | FAR 22.1308(a) | Equal Opportunity for Special Disabled Veterans, and Other Eligible Veterans | M | T | T |
| FAR 52.222-36 | FAR 22.1408(a) | Affirmative Action for Workers With Disabilities | M | T | T |
| FAR 52.222-37 | FAR 22.1308(b) | Employment Reports on Special Disabled Veterans, Veterans of the Vietnam Era, and Other Eligible Veterans | M | T | T |
| 1652.222-70 | 1622.103-70 | Notice of Significant Events | M | T | T |
| FAR 52.223-6 | FAR 23.505 | Drug-Free Workplace | A | T | T |
| 1652.224-70 | 1624.104 | Confidentiality of Records | M | T | T |
| FAR 52.227-1 | FAR 27.201-2(a) | Authorization and Consent | M | T | T |
| FAR 52.227-2 | FAR 27.202-2 | Notice and Assistance Regarding Patent and Copyright Infringement | M | T | T |
| FAR 52.229-3 | FAR 29.401-3 | Federal, State and Local Taxes | M | | T |

| Clause No. | Text Reference | Title | Use Status | Use With Experience Rated Contracts | Use With Community Rated Contracts |
|---------------|--|--|------------|-------------------------------------|------------------------------------|
| FAR 52.229-4 | FAR 29.401-4 | Federal, State and Local Taxes (Noncompetitive Contract) | M | T | |
| FAR 52.229-5 | FAR 29.401-5 | Taxes—Contracts Performed in U.S. Possessions or Puerto Rico | A | T | T |
| 1652.229-70 | FEHBP 1629.402 | Taxes—Foreign Negotiated Benefits Contracts | A | T | T |
| FAR 52.232-8 | FAR 32.111(c)(1) | Discounts for Prompt Payment | M | T | T |
| FAR 52.232-17 | FAR 32.617(a) Modification: 1632.617 | Interest | M | T | T |
| FAR 52.232-23 | FAR 32.806(a)(1) | Assignment of Claims | A | T | T |
| FAR 52.232-33 | FAR 32.1103(a) | Payment by Electronic Funds Transfer—Central Contractor Registration | M | T | T |
| 1652.232-70 | 1632.171 | Payments—Community-Rated Contracts | A | T | T |
| 1652.232-71 | 1632.172 | Payments—Experience-Rated Contracts | A | T | |
| 1652.232-72 | 1632.772 | Non-Commingling of FEHBP Funds | M | T | |
| 1652.232-73 | 1632.806-70 | Approval for Assignment of Claims | M | T | T |
| FAR 52.233-1 | FAR 33.215 | Disputes | M | T | T |
| FAR 52.242-1 | FAR 42.802 | Notice of Intent to Disallow Costs | M | T | |
| FAR 52.242-3 | FAR 42.709-6 | Penalties for Unallowable Costs | M | T | |
| FAR 52.242-13 | FAR 42.903 | Bankruptcy | M | T | T |
| 1652.243-70 | 1643.205-70 | Changes—Negotiated Benefits Contracts | M | T | T |
| FAR 52.244-5 | FAR 44.204(c) | Competition in Subcontracting | M | T | |
| FAR 52.244-6 | FAR 44.403 | Subcontracts for Commercial Items | M | T | |
| 1652.244-70 | 1644.270 | Subcontracts | M | T | |
| 1652.245-70 | 1645.303-70 | Government Property (Negotiated Benefits Contracts) | M | T | T |

| Clause No | Text Reference | Title | Use Status | Use With Experience Rated Contracts | Use With Community Rated Contracts |
|---------------|------------------|---|------------|-------------------------------------|------------------------------------|
| FAR 52.246-25 | FAR 46.805(a)(4) | Limitation of Liability—Services | M | T | |
| 1652.246-70 | 1646.301 | FEHB Inspection | M | T | T |
| FAR 52.247-63 | FAR 47.405 | Preference for U.S.-Flag Air Carriers | M | T | T |
| 1652.249-70 | 1649.101-70 | Renewal and Withdrawal of Approval | M | T | T |
| 1652.249-71 | 1649.101-71 | FEHBP Termination for Convenience of the Government—Negotiated Benefits Contracts | M | T | T |
| 1652.249-72 | 1649.101-72 | FEHBP Termination for Default—Negotiated Benefits Contracts | M | T | T |
| FAR 52.251-1 | FAR 51.107 | Government Supply Sources | A | T | |
| FAR 52.252-4 | FAR 52.107(d) | Alterations in Contract | A | T | T |
| FAR 52.252-6 | FAR 52.107(f) | Authorized Deviations in Clauses | M | T | T |

[FR Doc. 05-10643 Filed 5-31-05; 8:45 am]

BILLING CODE 6325-01-C

OFFICE OF PERSONNEL MANAGEMENT

48 CFR Parts 1631 and 1699

RIN 3206-AJ10

Federal Employees Health Benefits Program; Revision of Contract Cost Principles and Procedures, and Miscellaneous Changes

AGENCY: U.S. Office of Personnel
Management.

ACTION: Final rule.

SUMMARY: The U.S. Office of Personnel Management (OPM) is issuing a final regulation amending the Federal Employees Health Benefits (FEHB) Acquisition Regulation (FEHBAR). This regulation provides additional contract cost principles and procedures for FEHB Program experience-rated contracts and is intended to clarify our requirements and enhance our oversight of FEHB carriers.

DATES: Effective July 1, 2005.

FOR FURTHER INFORMATION CONTACT:
Anne Easton, Manager (202) 606-0770,
by fax: (202) 606-0633, or e-mail:
aseaston@opm.gov.

SUPPLEMENTARY INFORMATION: We are enhancing our oversight of experience-rated FEHB contracts by requiring carriers to apply additional cost principles and procedures. We currently contract with thirty-two experience-rated fee-for-service carriers and Health Maintenance Organizations (HMOs). Under the FEHB law, 5 U.S.C. 8902, it is part of OPM's responsibility to ensure that rates charged by health benefits plans reasonably and equitably reflect the cost of the benefits provided. Our interest, from a financial standpoint, is to pay a reasonable price for the health care coverage we purchase from private contractors on behalf of FEHB enrollees. OPM's independent Inspector General regularly audits experience-rated carriers to determine if they are in compliance with the Cost Principles in part 31 of title 48, Code of Federal Regulations (the Federal Acquisition Regulation (FAR)) and chapter 16 of title 48, Code of Federal Regulations (FEHBAR)). In addition, we have other requirements and practices in place to provide assurance to FEHB Program administrators that carriers' financial reporting and contractual requirements are met.

The FEHBAR and part 31 of the FAR are the sole sources of cost accounting

principles and practices for FEHB contracts. The basic cost accounting principles in the FAR Part 31 have been in place for over 40 years. During this time period, significant improvements in cost accounting principles and practices have been made. Advances in information technology have enabled FEHB contractors to implement cost accounting practices more complex than those generally used when we adopted the FAR cost principles. Also, we have observed some differences in interpretation regarding the allocation of costs to carriers' contracts. Therefore, we are updating the FEHBAR to allow carriers to use more current contract cost accounting principles and practices and to provide for consistent interpretation of our requirements across the Program. These final regulations may apply to contractors that also allocate costs to other federal contracts subject to CAS-coverage or FAR provisions related to cost-based contracts. OPM plans to contact other federal agencies that contract with the FEHB contractors to discuss how cost accounting practices are applied to business units that may have other cost-based contracts for federal programs, such as Medicare or Tricare, to determine if a consistent standard is appropriate governmentwide.

FAR Part 31 provides criteria that govern the allocation of indirect costs to contracts. This regulation provides guidance to carriers on allocating certain indirect costs to FEHB experience-rated contracts. For example, we have included a section to supplement FAR 31.203 that describes techniques for accumulating and allocating groupings of indirect costs (FEHBAR 1631.203-70). The new section provides guidance for determining logical cost groupings as required by FAR 31.203(c). It also provides methods for achieving the FAR 31.201-4 requirement that costs are to be allocated on the basis of relative benefits received or other equitable relationship. We have also provided more guidance on the allocation of business unit general and administrative (G&A) expenses (FEHBAR 1631.203-71) and home office expenses to carriers' business segments (FEHBAR 1631.203-72) to supplement FAR 31.203. Our intent is to supplement, but not to supplant FAR. Therefore, we believe that the provisions of FAR 31.203 dealing with the allocation of indirect costs, including G&A expenses and home office expenses, are rendered more useful for our purposes when supplemented by FEHBAR 1631.203-70, 71, and 72. In addition, we have

modified the FEHBAR to specifically recognize that monthly indirect cost rates are a practice of the insurance industry and are therefore permitted by FAR 31.203.

We have added subrogation settlements, prescription drug rebates, and volume discounts to the list of FEHB credits in FEHBAR 1631.201-70. This guidance specifies that the applicable portion of any credit relating to any allowable cost and received by or accruing to the carrier must be credited to the FEHB Program. We have always expected carriers to ensure that the Program actually receives these credits. Identifying them makes it even clearer that they are to be credited to the Program. While the list of credits is not intended to be exhaustive, we have added these examples to demonstrate how all credits should be treated. Other enhancements include modifying FAR 31.205-10 to make facilities cost of money (COM) allowable under certain circumstances, even if it is not specifically identified in a carrier proposal (FEHBAR 1631.205-10). This change is intended to more closely reflect the procedures we follow in our annual negotiation process with carriers.

We have added a provision to establish that compensated personal absence must be assigned to the cost accounting period in which the entitlement was earned (FEHBAR 1631.205-72). This section is included to ensure all carriers are following GAAP requirements applicable to accrual procedures. We also provided a transition rule to permit carriers to recover prior years' allocable liability for compensated personal absence not previously charged to FEHB contracts. We believe that the provisions of this section ensure that there is compatibility between the applicable requirements of GAAP, FAR and FEHBAR. It should also be stressed that the transition rule dealing with the recovery of prior years' costs applies only to costs that have not been previously charged to contracts or other final cost objectives.

Consistent with OPM's waiver of Cost Accounting Standards (CAS) requirements, a new FEHBAR Subpart 1699.70 is added to clarify they do not apply to experience-rated FEHB contracts.

We have worked collaboratively with carriers to develop procedures that are consistent with insurance industry practices and assure an equitable allocation of costs to the FEHB Program. When added to our current financial reporting and disclosure requirements, these new provisions will enhance our

oversight of the FEHB Program. Because they have been developed in coordination with the standard practices used by experience-rated carriers, we expect they can be implemented within the FEHB Program promptly and without impediments.

On March 26, 2004, OPM published a proposed rule in the **Federal Register** (69 FR 15774). We received comments from two FEHB Program carriers and one Federal employee union. One carrier commented on the provision in 1631.205–72, which establishes that compensated personal absence must be assigned to the cost accounting period in which the entitlement was earned. The carrier asked that we clarify in the preamble that a contractor subject to this provision be permitted to draw the amount of the allowable compensated personal absence from the Plan's letter of credit (LOC) reserves in the cost accounting period in which the contractor determines that an entitlement had been earned. We agree. Further, if it is later determined that the compensated personal absence entitlement was not earned in the cost accounting period to which it was assigned, the contractor will make an appropriate adjustment and credit the LOC reserves. Another carrier commented that it is important and highly appropriate that section 1699.70 provides that the cost accounting standards do not apply to experience-rated contracts, adding that this will avoid unnecessary and burdensome costs to the Program. The carrier also commented on an anomaly in 1631.203 of the proposed regulation which was created when the FAR Councils published a final rule on April 5, 2004, after the publication date of OPM's proposed regulation. The FAR Councils' rule revised FAR 31.203 regarding base periods for allocating indirect costs, stating “* * * the base period for allocating indirect costs shall be the contractor's fiscal year used for financial reporting purposes in accordance with generally accepted accounting principles. The fiscal year will normally be 12 months, but a different period may be appropriate (e.g. when a change in fiscal year occurs due to a business combination or other circumstances.” Historically, the practice in the insurance industry has been to base the allocation of indirect costs on monthly rates, unadjusted for annual differences. The FEHBAR allows for continuation of normal business practices when there would be no material gain from asserting a change. The practice of allocating indirect costs on a monthly basis is in accordance with GAAP in the

insurance industry. Imposing a change would incur additional costs for the Government which would have to pay for the cost of implementing and maintaining the change in administrative systems. Therefore, this clause remains unchanged except to adopt the new paragraph numbering reflected in the updated FAR 31.203. The Federal employee union stated its objection to OPM's waiver of the CAS and, subsequently to all the provisions in the proposed rule except for one. The FAR 30.201–5(b)(2) permits the head of an agency to waive the CAS for a particular contract or subcontract under exceptional circumstances when necessary to meet the needs of the agency. We determined there were sufficient reasons and granted waivers for certain health plans under the FEHB Program. In October 2002, OPM determined that it was appropriate to grant CAS waivers for certain health plans under the FEHB Program for the reasons outlined below. First, OPM determined that the Program has adequate cost accounting requirements in its Federal Employees Health Benefits Acquisition Regulations (FEHBAR), which supplement the Federal Acquisition Regulation. The FEHBAR requires carriers to file annual financial statements. The carriers, and their third party servicing agents, must also adhere to financial and other related standards, comply with an FEHB Program audit guide, and submit to audits by Independent Public Accountants. Second, because OPM has contracted with carriers for twenty to forty years, it has been able to collect extensive data on each carrier, thus making disclosure statements superfluous. Their existing systems are and have been their benchmarks. Third, the OPM Office of the Inspector General audits health carriers on a regular basis; contract rates, which are negotiated annually, are subject to adjustment for audit findings. Fourth, insurance carriers are subject to State regulatory authorities and must meet State statutory reserve requirements in order to conduct business; in addition, many carriers are required to submit to State rate setting procedures. Accordingly, OPM's statutory oversight and regulatory requirements already in place are sufficient to meet the Government's interests in a much less burdensome way than applying CAS. This new regulation will enhance the financial integrity of the Program and demonstrate to the public and any other interested parties that accounting methods and related financial

disclosures by carriers are consistent with sound business practices.

Regulatory Flexibility Act

I certify that this regulation will not have a significant economic impact on a substantial number of small entities because it is based on requirements already in place in the Federal Acquisition Regulation (FAR).

Executive Order 12866, Regulatory Review

This rule has been reviewed by the Office of Management and Budget in accordance with Executive Order 12866.

List of Subjects in 48 CFR Parts 1631 and 1699

Administrative practice and procedure, Government employees, Government procurement, Health facilities, Health insurance, Health professions, Reporting and record keeping requirements, Retirement.

U.S. Office of Personnel Management.

Dan G. Blair,
Acting Director.

■ Accordingly, we are amending chapter 16 of title 48, Code of Federal Regulations, as follows:

CHAPTER 16—OFFICE OF PERSONNEL MANAGEMENT FEDERAL EMPLOYEES HEALTH BENEFITS ACQUISITION REGULATION

■ 1. The authority citations for 48 CFR part 1631 continues to read as follows:

Authority: 5 U.S.C. 8913; 40 U.S.C. 486(c); 48 CFR 1.301.

PART 1631—CONTRACT COST PRINCIPLES AND PROCEDURES

■ 2. Subpart 1631.1 consisting of section 1631.1 is added to read as follows:

Subpart 1631.1—Definitions

1631.1 Definitions.

The definitions in FAR 31.001 are applicable to this section unless otherwise noted.

Subpart 1631.2—Contracts with Commercial Organizations

■ 3. Section 1631.201–70 is revised to read as follows:

1631.201–70 Credits.

The provisions of FAR 31.201–5 shall apply to income, rebates, allowances, and other credits resulting from benefit payments. Examples of such credits include:

- (a) Coordination of benefit refunds, including subrogation settlements;
- (b) Hospital year-end settlements and other applicable provider discounts;

(c) Uncashed and returned checks;
 (d) Utilization review refunds;
 (e) Contract prescription drug rebates;
 (f) Volume discounts;
 (g) Refunds and other payments or recoveries attributable to litigation with subscribers or providers of health services; and,

(h) Erroneous benefit payment, overpayment, and duplicate payment recoveries.

■ 4. A new section 1631.203 is added to read as follows:

1631.203 Indirect costs.

For the purposes of applying FAR 31.203(g)(2) to FEHB Program contracts, OPM considers the monthly rates used by some carriers to be a general practice in the insurance industry.

■ 5. Section 1631.203–70 is revised to read as follows:

1631.203–70 Allocation techniques.

(a) Carriers shall use the following methods for allocating groupings of business unit indirect costs. Carriers shall consistently apply the methods and techniques established to classify direct and indirect costs, to group indirect costs and to allocate indirect costs to cost objectives.

(1) *Input method.* The preferred allocation technique is one that shows the consumption of resources in performance of the activities (input) for the function(s) represented by the cost grouping. This allocation technique should be used in circumstances where there is a direct and definitive relationship between the function(s) and the benefiting cost objectives. Measures of input ordinarily may be expressed in terms such as labor hours or square footage. This means costs may be allocated by use of a rate, such as a rate per labor hour or cost per square foot.

(2) *Output method.* Where input measures are unavailable or impractical to determine, the basis for allocation may be a measure of the output of the function(s) represented by the cost grouping. The output becomes a substitute measure for the use of resources and is a reasonable alternative when a direct measure of input is impractical. Output may be measured in terms of units of end product produced by the function(s). Examples of output measures include number of claims processed by a claims processing center, number of pages printed in a print shop, number of purchase orders processed by a purchasing department, or number of hires by a personnel office.

(3) *Surrogate method.* Where neither activity (input) nor output of the function(s) can be measured practically, a surrogate must be used to measure the

resources utilized. Surrogates used to represent the relationship generally measure the benefit to the cost objectives receiving the service and should vary in proportion to the services received. For example, if a personnel department provides various services that cannot be measured practically on an activity (input) or output basis, number of personnel served might reasonably represent the use of resources of the personnel function for the cost objectives receiving the service, where this base varies in proportion to the services performed.

(4) *Other method.* Some cost groupings cannot readily be allocated on measures of specific beneficial or causal relationships under paragraph (a)(1), (a)(2), or (a)(3) of this section. Such costs do not have a direct and definitive relationship to the benefiting cost objectives. Generally, the cost of overall management activities falls in this category. Overall management costs should be grouped in relation to the activities managed. The base selected to measure the allocation of these indirect costs to cost objectives should be a base representative of the entire activity being managed. For example, the total operating expenses of activities managed might be a reasonable base for allocating the general indirect costs of a business unit. Another reasonable method for allocating general indirect costs might be to base them on a percentage of contracts. These examples are not meant to be exhaustive, but rather are examples of allocation methods that may be acceptable under individual circumstances. See also General and Administrative (G&A) expenses, FEHBAR 1631.203–71.

(b) Carriers that use multiple cost centers to accumulate and allocate costs shall apply the techniques in paragraph (a) of this section at each step of the allocation process. Accordingly, the allocation of costs among cost centers at the initial entry into the cost accounting system shall be made in compliance with paragraph (a) of this section. Likewise, the allocation of the cost of interim cost centers to final cost centers is subject to paragraph (a) of this section. If costs of final cost centers are allocated among final cost objectives, the allocation shall also be made in accordance with paragraph (a) of this section. It is possible that carriers using multiple cost centers to accumulate and allocate costs may not have any direct costs, *i.e.*, costs identified specifically with a final cost objective.

(c) The allocation of business unit general and administrative expenses and the allocation of home office expenses to segments are also subject to

FEHBAR 1631.203–71 and FEHBAR 1631.203–72, respectively.

■ 6. Section 1631.203–71 is added to read as follows:

1631.203–71 Business unit General and Administrative (G&A) expenses.

G&A expenses shall be allocated to final cost objectives by a base or method that represents the total activity of the business unit.

■ 7. Section 1631.203–72 is added to read as follows:

1631.203–72 Home office expense.

A carrier's practices for allocating home office expenses to the segments of the carrier will be acceptable for purposes of FAR 31.203 if they are allocated on the basis of the beneficial or causal relationship between the home office activities and the segments to which the expenses are allocated. Expenses that cannot be allocated on the basis of a more specific beneficial or causal relationship should be allocated on a basis representative of the entire activity being managed. The compliance of such allocations with FAR 31.203 shall be determined on the basis of the facts and circumstances of each situation.

■ 8. Section 1631.205–10 is added to read as follows:

1631.205–10 Cost of money.

For the purposes of FAR 31.205–10(b)(3), the estimated facilities capital cost of money is specifically identified if it is identified in the prior year's Annual Accounting Statement or, for new experience-rated carriers, the supplemental information supporting submitted costs (such as the Supplemental Schedule of Administrative Expenses).

■ 9. Section 1631.205–72 is amended by designating the existing paragraph as paragraph (a) and adding a new paragraph (b) to read as follows:

1631.205–72 FEHBP compensation for personal services.

(a) * * *

(b)(1) The costs of compensated personal absence shall be assigned to the cost accounting period or periods in which entitlement was earned. Entitlement means an employee's right, whether conditional or unconditional, to receive a determinable amount of compensated personal absence, or pay in lieu thereof.

(2) If at the beginning of the 1st year a carrier subject to paragraph (b)(1) of this section has a liability for accrued but unpaid expenses for compensated personal absences that would otherwise be allocable to FEHB contracts, the

carrier may include such costs in a suspense account. The suspense account may be amortized and included in government contract costs at a rate not exceeding 20 percent per year.

■ 10. Part 1699 is added consisting of subpart 1699.7, section 1699.70 to read as follows:

PART 1699—COST ACCOUNTING STANDARDS

Subpart 1699.7—Cost Accounting Standards

1699.70 Cost accounting standards.

With respect to all experience-rated contracts currently existing under the

FEHB Program, the Cost Accounting Standards, found at 48 CFR part 9904, of the Code of Federal Regulations, do not apply.

[FR Doc. 05-10827 Filed 5-31-05; 8:45 am]

BILLING CODE 6325-38-P

Proposed Rules

Federal Register

Vol. 70, No. 104

Wednesday, June 1, 2005

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2004-19565; Directorate Identifier 2004-NM-104-AD]

RIN 2120-AA64

Airworthiness Directives; Gulfstream Aerospace LP Model Galaxy and Gulfstream 200 Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD) for certain Gulfstream Aerospace LP Model Galaxy and Gulfstream 200 airplanes. That action would have required inspecting for incorrect torque of the retaining bolt of the aft trunnion of the main landing gear (MLG), and for associated damage to certain components, and adjustments or repairs if necessary. Since the issuance of the NPRM, we have received new data that the identified unsafe condition has been corrected on 100% of the affected worldwide fleet. Accordingly, the NPRM is withdrawn.

ADDRESSES: You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street SW., room PL-401, Washington, DC. This docket number is FAA-2004-19565; the directorate identifier for this docket is 2004-NM-104-AD.

FOR FURTHER INFORMATION CONTACT: Dan Rodina, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601

Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-2125; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

We proposed to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) with a notice of proposed rulemaking (NPRM) for a new AD for certain Gulfstream Aerospace LP Model Galaxy and Gulfstream 200 airplanes. That NPRM was published in the **Federal Register** on November 10, 2004 (69 FR 65095). The NPRM would have required inspecting for incorrect torque of the retaining bolt of the aft trunnion of the main landing gear (MLG), and for associated damage to certain components, and adjustments or repairs if necessary. The NPRM was prompted by a report of a rumbling sound heard by the flightcrew during takeoff, and the rumbling stopped after the MLG was retracted. The proposed actions were intended to prevent damage to the retaining bolt and bearing of the aft trunnion of the MLG, which could result in reduced structural integrity of the MLG and consequent reduced controllability of the airplane on the ground.

Actions Since NPRM Was Issued

Since the issuance of that NPRM, the airplane manufacturer has provided us with data that indicate that the identified unsafe condition (damage to the retaining bolt and bearing of the aft trunnion of the MLG, which could result in reduced structural integrity of the MLG and consequent reduced controllability of the airplane on the ground) has already been corrected on 100% of the affected worldwide fleet. The actions required by the NPRM have been accomplished on all affected airplanes; therefore, the unsafe condition no longer exists on the subject airplanes.

FAA's Conclusions

Upon further consideration, we have determined that the actions that would have been required by the NPRM have already been done on all affected airplanes, and the identified unsafe condition has been corrected. Accordingly, the NPRM is withdrawn.

Withdrawal of the NPRM does not preclude the FAA from issuing another related action or commit the FAA to any course of action in the future.

Regulatory Impact

Since this action only withdraws an NPRM, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, we withdraw the NPRM, Docket No. FAA-2004-19565; Directorate Identifier 2004-NM-104-AD, which was published in the **Federal Register** on November 10, 2004 (69 FR 65095).

Issued in Renton, Washington, on May 23, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-10869 Filed 5-31-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2005-21239; Directorate Identifier 2005-CE-27-AD]

RIN 2120-AA64

Airworthiness Directives; Raytheon Aircraft Company, Model 390, Premier 1 Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM).

SUMMARY: The FAA proposes to adopt a new airworthiness directive (AD) for certain Raytheon Aircraft Company (Raytheon), Model 390, Premier 1 airplanes. This proposed AD would require you to install a kit to correct chafing conditions in the powerplant left hand and right hand engine installations. This proposed AD results from reports of inadequate left hand and right hand engine assembly cable, wire, and hose routing clearance. We are issuing this proposed AD to detect and correct chafing conditions in the engine installation, which could result in

leaking flammable fluids near an ignition source. This failure could lead to fire damage or loss of airplane control.

DATES: We must receive any comments on this proposed AD by August 1, 2005.

ADDRESSES: Use one of the following to submit comments on this proposed AD:

- *DOT Docket Web site:* Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- *Fax:* 1-202-493-2251.

- *Hand Delivery:* Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

To get the service information identified in this proposed AD, contact Raytheon Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or 316-676-3140.

To view the comments to this proposed AD, go to <http://dms.dot.gov>. The docket number is FAA-2005-21239; Directorate Identifier 2005-CE-27-AD.

FOR FURTHER INFORMATION CONTACT:

James P. Galstad, Aerospace Engineer, FAA, Wichita ACO, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4135; facsimile: (316) 946-4107.

SUPPLEMENTARY INFORMATION:

Comments Invited

How do I comment on this proposed AD? We invite you to submit any written relevant data, views, or arguments regarding this proposal. Send your comments to an address listed under **ADDRESSES**. Include the docket number, "FAA-2005-21239; Directorate Identifier 2005-CE-27-AD" at the beginning of your comments. We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. We will also post a report summarizing each substantive verbal contact with FAA personnel concerning this proposed rulemaking. Using the search

function of our docket web site, anyone can find and read the comments received into any of our dockets, including the name of the individual who sent the comment (or signed the comment on behalf of an association, business, labor union, etc.). This is docket number FAA-2005-21239; Directorate Identifier 2005-CE-27-AD. You may review the DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

Are there any specific portions of this proposed AD I should pay attention to? We specifically invite comments on the overall regulatory, economic, environmental, and energy aspects of this proposed AD. If you contact us through a nonwritten communication and that contact relates to a substantive part of this proposed AD, we will summarize the contact and place the summary in the docket. We will consider all comments received by the closing date and may amend this proposed AD in light of those comments and contacts.

Docket Information

Where can I go to view the docket information? You may view the AD docket that contains the proposal, any comments received, and any final disposition in person at the DMS Docket Offices between 9 a.m. and 5 p.m. (eastern standard time), Monday through Friday, except Federal holidays. The Docket Office (telephone 1-800-647-5227) is located on the plaza level of the Department of Transportation NASSIF Building at the street address stated in **ADDRESSES**. You may also view the AD docket on the Internet at <http://dms.dot.gov>. The comments will be available in the AD docket shortly after the DMS receives them.

Discussion

What events have caused this proposed AD? The FAA has received reports of chafing conditions in the powerplant left hand and right hand engine assembly cable, wire, and hose routing clearance. The incidents of chafing have been reported on airplane serial numbers: RB-20, RB-50, and RB-101.

Investigation revealed that the areas of concern include control cables, wiring harnesses, fluid and drain hoses, and support structure. Further, FAA has

determined that the cause of the unsafe condition relates to the design and quality control.

Raytheon has developed a kit and service information to correct the chafing conditions.

What is the potential impact if FAA took no action? The existence of chafing conditions in the engine installation could result in leaking flammable fluids near an ignition source. This failure could lead to fire damage or loss of airplane control.

Is there service information that applies to this subject? Raytheon has issued Service Bulletin No. SB 71-3685, Issued May 2005.

What are the provisions of this service information? The service bulletin includes procedures for correcting chafing conditions in the engine installation.

FAA's Determination and Requirements of This Proposed AD

What has FAA decided? We have evaluated all pertinent information and identified an unsafe condition that is likely to exist or develop on other products of this same type design. For this reason, we are proposing AD action.

What would this proposed AD require? This proposed AD would require you to incorporate the actions in the previously-referenced service bulletin.

How does the revision to 14 CFR part 39 affect this proposed AD? On July 10, 2002, we published a new version of 14 CFR part 39 (67 FR 47997, July 22, 2002), which governs FAA's AD system. This regulation now includes material that relates to altered products, special flight permits, and alternative methods of compliance. This material previously was included in each individual AD. Since this material is included in 14 CFR part 39, we will not include it in future AD actions.

Costs of Compliance

How many airplanes would this proposed AD impact? We estimate that this proposed AD affects 74 airplanes in the U.S. registry.

What would be the cost impact of this proposed AD on owners/operators of the affected airplanes? We estimate the following costs to do this proposed installation of the kit to correct chafing conditions in the engine installation:

| Labor cost | Parts cost | Total cost per airplane | Total cost on U.S. operators |
|--------------------------------------|------------|-------------------------|------------------------------|
| 16 work hours × \$65 = \$1,040 | \$1,775 | \$2,815 | \$208,310 |

The labor and part costs are covered by Raytheon Aircraft Company warranty.

Authority for This Rulemaking

What authority does FAA have for issuing this rulemaking action? Title 49 of the United States Code specifies the FAA's authority to issue rules on aviation safety. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority.

We are issuing this rulemaking under the authority described in subtitle VII, part A, subpart III, section 44701, "General requirements." Under that section, Congress charges the FAA with promoting safe flight of civil aircraft in air commerce by prescribing regulations for practices, methods, and procedures the Administrator finds necessary for safety in air commerce. This regulation is within the scope of that authority because it addresses an unsafe condition that is likely to exist or develop on products identified in this AD.

Regulatory Findings

Would this proposed AD impact various entities? We have determined that this proposed AD would not have federalism implications under Executive Order 13132. This proposed AD would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government.

Would this proposed AD involve a significant rule or regulatory action? For the reasons discussed above, I certify that this proposed AD:

1. Is not a "significant regulatory action" under Executive Order 12866;
2. Is not a "significant rule" under the DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and
3. Will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

We prepared a summary of the costs to comply with this proposed AD (and other information as included in the Regulatory Evaluation) and placed it in the AD Docket. You may get a copy of this summary by sending a request to us at the address listed under **ADDRESSES**. Include "AD Docket FAA-2005-21239; Directorate Identifier 2005-CE-27-AD" in your request.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, under the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend 14 CFR part 39 as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. The FAA amends § 39.13 by adding the following new airworthiness directive (AD):

Raytheon Aircraft Company: Docket No. FAA-2005-21239; Directorate Identifier 2005-CE-27-AD

When Is the Last Date I Can Submit Comments on This Proposed AD?

(a) We must receive comments on this proposed airworthiness directive (AD) by August 1, 2005.

What Other ADs Are Affected by This Action?

(b) None.

What Airplanes Are Affected by This AD?

(c) This AD affects Model 390 Premier I airplanes that:

- (1) Incorporate a serial number of RB-1, RB-4 through RB-84, RB-87 through RB-90, RB-92 through RB-96, RB-98 through RB-101, and RB-103 through RB-107; and
- (2) Are certificated in any category.

What Is the Unsafe Condition Presented in This AD?

(d) This AD is the result of reports of inadequate left hand and right hand engine assembly cable, wire, and hose routing clearance. The actions specified in this AD are intended to detect and correct chafing conditions in the engine installation, which could result in leaking flammable fluids near an ignition source. This failure could lead to fire damage or loss of airplane control.

What Must I Do To Address This Problem?

(e) To address this problem, you must do the following:

| Actions | Compliance | Procedures |
|---|---|--|
| Install Kit No. 390-9104-0001 to correct chafing conditions in the powerplant left hand and right hand engine assembly cable, wire, and hose routing clearance. | At the first 100 hour or annual inspection that occurs following the next 30 days after the effective date of this AD, unless already done. | Follow Raytheon Aircraft Company Mandatory Service Bulletin No. SB 71-3685, Issued May 2005. |

May I Request an Alternative Method of Compliance?

(f) You may request a different method of compliance or a different compliance time for this AD by following the procedures in 14 CFR 39.19. Unless FAA authorizes otherwise, send your request to your principal inspector. The principal inspector may add comments and will send your request to the Manager, Wichita Aircraft Certification Office (ACO), FAA. For information on any already approved alternative methods of compliance, contact James P. Galstad, Aerospace Engineer, FAA, Wichita ACO, 1801 Airport Road, Wichita, Kansas 67209; telephone: (316) 946-4135; facsimile: (316) 946-4107.

May I Get Copies of the Documents Referenced in This AD?

(g) To get copies of the documents referenced in this AD, contact Raytheon

Aircraft Company, P.O. Box 85, Wichita, Kansas 67201-0085; telephone: (800) 429-5372 or 316-676-3140 or 316-676-3140. To view the AD docket, go to the Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC, or on the Internet at <http://dms.dot.gov>. The docket number is Docket No. FAA-2005-21239; Directorate Identifier 2005-CE-27-AD.

Issued in Kansas City, Missouri, on May 24, 2005.

David R. Showers,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-10865 Filed 5-31-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. FAA-2005-20501; Directorate Identifier 2004-NM-251-AD]

RIN 2120-AA64

Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), Department of Transportation (DOT).

ACTION: Proposed rule; withdrawal.

SUMMARY: The FAA withdraws a notice of proposed rulemaking (NPRM) that proposed a new airworthiness directive (AD) for all EMBRAER Model ERJ 170 series airplanes. That action would have required inspecting the engine fire handles of the overhead panel in the cockpit, and replacing the engine fire handles if necessary. Since the NPRM was issued, we have received new data that the identified unsafe condition has been corrected on all airplanes that would have been subject to the NPRM. Accordingly, the proposed AD is withdrawn.

ADDRESSES: You can examine the AD docket on the Internet at <http://dms.dot.gov>, or in person at the Docket Management Facility office between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The Docket Management Facility office (telephone (800) 647-5227) is located on the plaza level of the Nassif Building at the U.S. Department of Transportation, 400 Seventh Street, SW., room PL-401, Washington, DC. This docket number is FAA-2005-20501; the directorate identifier for this docket is 2004-NM-251-AD.

FOR FURTHER INFORMATION CONTACT: Tom Groves, Aerospace Engineer, International Branch, ANM-116, FAA, Transport Airplane Directorate, 1601 Lind Avenue, SW., Renton, Washington 98055-4056; telephone (425) 227-1503; fax (425) 227-1149.

SUPPLEMENTARY INFORMATION:

Discussion

We proposed to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) with a notice of proposed rulemaking (NPRM) for a new AD for all EMBRAER Model ERJ 170 series airplanes. That NPRM was published in the **Federal Register** on March 8, 2005 (70 FR 11172). The NPRM would have required inspecting the engine fire handles of the overhead panel in the cockpit, and replacing the engine fire handles if necessary. The NPRM was prompted by reports of failure of the internal circuit of the engine fire handles of the overhead panel in the cockpit. The proposed actions were intended to prevent failure of the internal circuit of the engine fire handles, which could result in failure of the fuel shut-off valves to close and failure of the fire extinguishing agent to discharge in the event of an engine fire.

Actions Since NPRM Was Issued

Since we issued the NPRM, the airplane manufacturer has provided us with data that indicate that the identified unsafe condition (failure of

the internal circuit of the engine fire handles, which could result in failure of the fuel shut-off valves to close and failure of the fire extinguishing agent to discharge in the event of an engine fire) has already been corrected on all airplanes that would have been subject to the NPRM, and that all affected spare parts have been returned to the manufacturer and destroyed.

FAA's Conclusions

Upon further consideration, we have determined that the actions that would have been required by the NPRM have already been done on all affected airplanes, and the identified unsafe condition has been corrected. Accordingly, the NPRM is withdrawn.

Withdrawal of the NPRM does not preclude the FAA from issuing another related action or commit the FAA to any course of action in the future.

Regulatory Impact

Since this action only withdraws an NPRM, it is neither a proposed nor a final rule and therefore is not covered under Executive Order 12866, the Regulatory Flexibility Act, or DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979).

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Withdrawal

Accordingly, we withdraw the NPRM, Docket No. FAA-2005-20501; Directorate Identifier 2004-NM-251-AD, which was published in the **Federal Register** on March 8, 2005 (70 FR 11172).

Issued in Renton, Washington, on May 23, 2005.

Ali Bahrami,

Manager, Transport Airplane Directorate, Aircraft Certification Service.

[FR Doc. 05-10868 Filed 5-31-05; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF THE TREASURY

Alcohol and Tobacco Tax and Trade Bureau

27 CFR Part 9

[Notice No. 47]

RIN 1513-AA77

Proposed Establishment of the Rattlesnake Hills Viticultural Area (2004R-678P)

AGENCY: Alcohol and Tobacco Tax and Trade Bureau, Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Alcohol and Tobacco Tax and Trade Bureau proposes to establish the Rattlesnake Hills viticultural area in Yakima County in south central Washington State. The proposed 68,500-acre area is totally within the established Columbia Valley viticultural area. We designate viticultural areas to allow vintners to better describe the origin of their wines and to allow consumers to better identify wines they may purchase. We invite comments on this proposed addition to our regulations.

DATES: We must receive written comments on or before August 1, 2005.

ADDRESSES: You may send comments to any of the following addresses:

- Chief, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, Attn: Notice No. 47, P.O. Box 14412, Washington, DC 20044-4412.

- 202-927-8525 (facsimile).
- nprm@ttb.gov (e-mail).
- <http://www.ttb.gov/alcohol/rules/index.htm>. An online comment form is posted with this notice on our Web site.
- <http://www.regulations.gov> (Federal e-rulemaking portal; follow instructions for submitting comments).

You may view copies of this notice, the petition, the appropriate maps, and any comments we receive about this notice by appointment at the TTB Library, 1310 G Street, NW., Washington, DC 20220. To make an appointment, call 202-927-2400. You may also access copies of the notice and comments online at <http://www.ttb.gov/alcohol/rules/index.htm>.

See the Public Participation section of this notice for specific instructions and requirements for submitting comments, and for information on how to request a public hearing.

FOR FURTHER INFORMATION CONTACT: N.A. Sutton, Regulations and Procedures Division, Alcohol and Tobacco Tax and Trade Bureau, 925 Lakeville St., No. 158, Petaluma, California 94952; telephone 415-271-1254.

SUPPLEMENTARY INFORMATION:

Background on Viticultural Areas

TTB Authority

Section 105(e) of the Federal Alcohol Administration Act (the FAA Act, 27 U.S.C. 201 *et seq.*) requires that alcohol beverage labels provide the consumer with adequate information regarding a product's identity and prohibits the use of misleading information on those labels. The FAA Act also authorizes the Secretary of the Treasury to issue regulations to carry out its provisions.

The Alcohol and Tobacco Tax and Trade Bureau (TTB) administers these regulations.

Part 4 of the TTB regulations (27 CFR part 4) allows the establishment of definitive viticultural areas and the use of their names as appellations of origin on wine labels and in wine advertisements. Part 9 of the TTB regulations (27 CFR part 9) contains the list of approved viticultural areas.

Definition

Section 4.25(e)(1)(i) of the TTB regulations (27 CFR 4.25(e)(1)(i)) defines a viticultural area for American wine as a delimited grape-growing region distinguishable by geographical features, the boundaries of which have been recognized and defined in part 9 of the regulations. These designations allow vintners and consumers to attribute a given quality, reputation, or other characteristic of a wine made from grapes grown in an area to its geographic origin. The establishment of viticultural areas allows vintners to describe more accurately the origin of their wines to consumers and helps consumers to identify wines they may purchase. Establishment of a viticultural area is neither an approval nor an endorsement by TTB of the wine produced in that area.

Requirements

Section 4.25(e)(2) of the TTB regulations outlines the procedure for proposing an American viticultural area and provides that any interested party may petition TTB to establish a grape-growing region as a viticultural area. Section 9.3(b) of the TTB regulations requires the petition to include—

- Evidence that the proposed viticultural area is locally and/or nationally known by the name specified in the petition;
- Historical or current evidence that supports setting the boundary of the proposed viticultural area as the petition specifies;
- Evidence relating to the geographical features, such as climate, soils, elevation, and physical features, that distinguish the proposed viticultural area from surrounding areas;
- A description of the specific boundary of the proposed viticultural area, based on features found on United States Geological Survey (USGS) maps; and
- A copy of the appropriate USGS map(s) with the proposed viticultural area's boundary prominently marked.

Rattlesnake Hills Petition

Mr. Gail Puryear, on behalf of himself and ten vineyard and winery owners,

submitted a petition to TTB proposing the establishment of the 68,500-acre Rattlesnake Hills viticultural area. It is within the Yakima Valley viticultural area (27 CFR 9.69), which is inside the larger Columbia Valley viticultural area (27 CFR 9.74). As of 2005, the proposed Rattlesnake Hills viticultural area has 1,227 acres of vines in commercial production, according to the petition.

The Rattlesnake Hills name is well documented on State and national maps, including a 1910 USGS map. The proposed boundaries encompass the Rattlesnake Hills name recognition area and the distinguishing features of the region, including topography, soils, and climate.

The south central region of Washington State, home to the Rattlesnake Hills, includes the existing viticultural areas of Red Mountain, Yakima Valley, Walla Walla Valley, and Columbia Valley. The Walla Walla Valley and Columbia Valley viticultural areas extend from southern Washington into northern Oregon.

Name Evidence

The USGS maps for Elephant Mountain, Yakima East, Wapato, Granger NE, Granger NW, and Toppenish all identify the Rattlesnake Hills in Yakima County, Washington. The American Automobile Association (AAA) map for the Oregon and Washington State Series, published February 2003, shows Rattlesnake Hills in south central Washington, between the towns of Yakima and Kennewick. The Washington State Highways 1996–1997 map, published by the Washington State Department of Transportation, shows the Rattlesnake Hills area to the east and west of Highway 241 and south of Highway 24.

The 1910 USGS Zillah map, reprinted in 1935, identifies Rattlesnake Hills along the T12N and T11N township line in ranges R21E and R22E. The map shows no human habitation in the Rattlesnake Hills area, with the settlements of Zillah, Granger, and Sunnyside to the south, along the Yakima River.

A Sunset magazine article in its August 1997 edition, “Bringing home the Harvest—Pacific Northwest,” by Jim McCausland, describes a tour that includes the Yakima, Washington, area and mentions Rattlesnake Hills. The article describes the Roza Canal at the base of the orchard- and vineyard-covered Rattlesnake Hills.

Boundary Evidence

The proposed Rattlesnake Hills viticultural area, the petition explains, is an isolated grape-growing region with

boundaries defined by the area's distinctive climate, soils, and topography. The Rattlesnake Hills name applies to the entire area within the proposed boundaries, as found on the USGS maps provided with the petition.

Nancy B. Hultquist, Ph.D., professor of Geography and Land Studies at Central Washington University in Ellensburg, and John F. Hultquist, Ph.D., former Adjunct Assistant Professor of Geography, Central Washington University, prepared the Rattlesnake Hills area's boundary documentation and geographical evidence for the viticultural area petition. This information is provided below.

The proposed Rattlesnake Hills viticultural area, within the larger Yakima Fold Belt, includes a series of asymmetrical anticlines with generally east-west trending, separated by basins. Also, the Rattlesnake Hills range has a steep north-facing side with a gentler south-facing slope. The south side of the range is the northern most region of the proposed viticultural area.

The petition's written boundary description and accompanying USGS maps define the proposed Rattlesnake Hills viticultural area boundaries. The proposed north boundary line of the viticultural area approximates the range's ridgeline, separating the range's south side from the north side. The proposed east boundary line follows the 120° west longitude line and (Bonneville) power lines. The proposed south boundary line meanders along the Sunnyside Canal, which flows southeast from the Yakima River. The terrain to the north of the Sunnyside Canal, and within the proposed boundaries, is hilly and characterized by ridge spurs to the north of the canal. Finally, the proposed west boundary line is a combination of the Sunnyside Canal and Interstate Highway 82.

Elevation is a primary distinguishing feature of the proposed Rattlesnake Hills viticultural area, the petition states. The proposed boundary line, at a minimum 850 feet in elevation, generally corresponds to the upslope of the foothills, as depicted on the USGS maps provided with the petition. Viticulture is considered possible with irrigation between 850 feet and 2,000 feet in elevation, the petition specifies.

Regional elevations below the 850-foot contour line are not conducive to successful viticulture based on damaging spring and fall frosts, heavy winterkill conditions, alkali soils and high water tables. As evidence, the petition states that vineyards planted in the region at elevations below 850 feet failed after years of struggle. The petition includes as an example the

Thalheimer vineyard project, two miles south of Sunnyside Canal and close to the city of Granger, which is below 850 feet in elevation. The project lasted ten years, but experienced continued vine damage from winterkill conditions. Also, in another example presented, William Pettit planted chardonnay grapes west of Toppenish on the valley floor, seven miles south of the proposed Rattlesnake Hills viticultural area. The vineyard suffered annual winterkill caused by vines reaching down to perennial water. After only three successful vintages in six years, Mr. Pettit removed the vineyard in 1987.

Distinguishing Features

The proposed Rattlesnake Hills viticultural area's distinguishing features include its geographical orientation among large and small mountain ranges, hillside topography, moderate microclimate, and soils unique to the area.

Geography

The Cascade Range, rising to about 6,000 feet in elevation, runs north to south and divides eastern and western Washington State, as shown on USGS maps and the AAA map for the Oregon and Washington State Series. The high Cascade Range altitudes protect eastern Washington from much of the Pacific

Ocean's temperature influence and rainfall, the petition explains.

The Rattlesnake Hills, which vary in elevation from 850 feet to 3,085 feet, create a north flank to the Toppenish Creek/Yakima Valley floor at its immediate south, according to USGS maps and the petition. Also, south central Washington has a series of smaller east-west mountain ranges between the Cascade Range and the Columbia River.

Topography

The Rattlesnake Hills range is oriented east to west. The ridgeline has dissected canyons, terraces, and ridges running south off the main ridge to the Yakima River, as the petition explains and the USGS maps depict. Vineyards are usually on ridges and terraces, and in areas with good air drainage, which lessens frost and winterkill conditions.

The proposed Rattlesnake Hills viticultural area topography includes a multitude of landscapes with differing aspect and hill slope positions, the petition explains. Also, low glacial terraces comprise the balance of the terrain found within the proposed viticultural area. Beyond the proposed boundaries, the rest of the Yakima Valley viticultural area, which surrounds the proposed viticultural area on the east, south and west sides, has a more open and consistent landscape

when compared to the Rattlesnake Hills area.

Climate

The Rattlesnake Hills viticultural area petition includes data collected from eleven weather stations in the south central Washington State region, operated by Washington State University (WSU) under the Public Agricultural Weather System (PAWS). Two of the stations, the petition explains, are within the proposed viticultural area. Petition documentation shows the Buena station at 900 feet in elevation and the Outlook station at 1,300 feet in elevation, both within the proposed boundaries. The other nine stations are beyond the proposed Rattlesnake Hills boundaries, but within the south central Washington State region, according to the petition.

The weather data provides an annual average and a 10-year average of the growing degree-day summary for each station, in most cases. (A degree-day is each degree of a day's mean temperature that is above 50 degrees Fahrenheit, which is the minimum temperature required for grapevine growth; see "General Viticulture," Albert J. Winkler, University of California Press, 1975.)

The chart below shows a 10-year average of the growing degree-day summary for each of the PAWS stations.

| Weather station | Degree-day units, 10-year annual average | Location related to Rattlesnake Hills area |
|-------------------------|--|---|
| Parker | 3133 | 1 mile west. |
| Wapato | 2540 | 7 miles west. |
| Moxee | 2096 | 2 miles north. |
| Sunnyside | 2498 | 2.5 miles east. |
| Port of Sunnyside | 2554 | 6 miles southeast. |
| WSU Roza | 2552 | 11 miles southeast. |
| WSU HQ | 2588 | 14 miles southeast. |
| Benton City | 3036 | 30 miles southeast. |
| Badger Canyon | 3297 | 40 miles southeast. |
| Buena | 2683 | In Rattlesnake Hills. |
| Outlook | 2870 | In Rattlesnake Hills. |

The degree-day temperatures within the proposed Rattlesnake Hills viticultural area vary significantly from the surrounding regions, according to PAWS data. Growing season temperatures are especially warmer in the Red Mountain viticultural area to the east of the proposed viticultural area around Badger Canyon and Benton City. Also, the areas between the Rattlesnake Hills region and Red Mountain have much cooler growing seasons, as documented by the Port of Sunnyside and WSU Roza weather stations.

The Canadian-Polar air brought into eastern Washington by northeastern

winds can kill the vines, according to the petition. The proposed Rattlesnake Hills viticultural area is protected from these damaging winds by the Umptanum Ridge, Yakima Ridge, and Rattlesnake Hills that lie to the northeast. The ridges and hills divert the chilling winds eastward toward the Red Mountain and Walla Walla viticultural areas.

Soil

The soils of the proposed Rattlesnake Hills viticultural area differ from soils in other Washington State viticultural areas, according to the petition. The

formation of the soils in the Rattlesnake Hills area was influenced by glacial fluvial (water transported) and eolian (wind transported silty loess) soils. The lower layer formation influences include volcanic cobbles and tuffaceous sands from the Ellensburg Formation.

The Rattlesnake Hills elevations at or above 1,100 feet perch beyond the influence of the Missoula Floods, according to the petition. Soils above the flooding influence developed on older volcanic sediments of the Ellensburg Formation. The soil parent materials weathered in a climate with 6 to 12 inches of rainfall annually and a

dry summer. The two main soil classifications include Aridosols (desert soils) and Mollisols (prairie soils), according to the "U.S. Soils Taxonomy" (Soil Survey Staff, 1999; Boling, Frazier, and Busacca, 1998).

The Rattlesnake Hills soil is silt-loam or loam at the upper elevations, the petition notes. The characteristic soil textures contrast to the sand, loamy sand, and sand textures of the nearby Prosser Flats, Red Mountain, and Horse Heaven Hills regions.

The primary soils suitable for viticulture within the Rattlesnake Hills area include the Warden Series silt loams and a composite of Harwood-Burke-Wiehl series silt loams. The Warden Series soils, which are very deep and well drained, occupy terraces underlain by glacial fluvial sediments. Also, the Harwood-Burke-Wiehl series, a complex composition of three distinctively different soils, occupies the ridge tops and side slopes of steep hills. The three-soil composition forms from loess (wind-blown, silt-sized material) that overlies remnants of the Ellensburg Formation. The composition is common within the Rattlesnake Hills area, the petition notes, but is seldom found elsewhere in the Yakima Valley region. Also, the soil is shallow, which is in contrast to the uniformly deep, silt-loamy and sandy soils found in the balance of the Yakima Valley viticultural area.

Other soils in the proposed Rattlesnake Hills viticultural area include the Kiona silt loam series in the northwest corner, the petition states. Also, along the top of the Rattlesnake Ridge, the Licksillet series silt loam and the Starbuck series provide a suitable viticultural environment when irrigation is available.

Common soil characteristics within the proposed Rattlesnake Hills viticultural area include a mesic soil regime, the petition states. The annual soil temperature is between 8 degrees Centigrade and 15 degrees Centigrade. Mean summer soil temperatures vary between 15 degrees Centigrade and 22 degrees Centigrade. Also, the soil pH is consistent, ranging from neutral at pH 6.6 to mildly alkaline at pH 8.4.

The topsoil layer is generally formed by loess and lesser amounts of volcanic ash, according to the petition. When Mount St. Helens erupted in 1980, the Rattlesnake Hills region received between one half-inch and one inch of volcanic ash topsoil.

The northern border of the proposed Rattlesnake Hills viticultural area sits at the highest elevations of the range, as noted on the USGS maps. The north-facing slope of the Rattlesnake Hills,

immediately beyond the proposed north boundary line, is covered with Licksillet, a very stony silt loam on 5 to 45 percent slopes. The very stony soils, steep slopes and lack of irrigation make this terrain unsuitable for viticulture, the petition states.

The eastern border of the proposed Rattlesnake Hills viticultural area starts at the intersection of the Rattlesnake Hills summit with the 120°00' west longitude line, according to the petition's written boundary description. The boundary line follows the longitude line south to its intersection with the Bonneville power lines and then continues south to the Sunnyside Canal. The topography east of the proposed boundary line is a large basin with Warden Series silt loams on 2 to 5 percent slopes. The area has some Esquatzel silty loam on the same gentle slopes.

Along the southern boundary lines of the proposed Rattlesnake Hills viticultural area, and south beyond Sunnyside Canal, the area changes to large flat bottom terrain and small remnants of glacial terraces, the petition notes. Esquatzel Series silt loams dominate the terrain, according to the "Soil Survey of Yakima County Area, Washington," (Lenfesty and Reedy, 1985). The area has Warden Series soils that, as the petition explains, are more geologically eroded and on a lower elevation terrain than the Warden Series of the Rattlesnake Hills region to the north.

Past the western border of the proposed Rattlesnake Hills viticultural area, USGS maps note, the hills drop down into the Yakima River. Immediately west of the river, and beyond the petitioned boundaries, lies the valley floor with the Weirman Association soils, as documented in the "Soil Survey of Yakima Indian Reservation Irrigated Area, Washington, Part of Yakima County," (United States Department of Agriculture, 1976). Continuing westward from the boundary line, the Ashue-Naches Association occupies the bottomland of an older Yakima River flood plain. Also, as the Yakima River Valley inclines westward to Ahtanum Ridge, the prevalent Warden Series soil creates a common link to the Rattlesnake Hills area, according to the petition. However, the Warden Series soil in the Rattlesnake Hills terrain includes the exposure of the Ellensburg Formation. The Ahtanum Ridge soil does not include such an exposure.

Boundary Description

See the narrative boundary description of the petitioned-for

viticultural area in the proposed regulatory text published at the end of this notice.

Maps

The petitioners provided the required maps, and we list them below in the proposed regulatory text.

Impact on Current Wine Labels

Part 4 of the TTB regulations prohibits any label reference on a wine that indicates or implies an origin other than the wine's true place of origin. If we establish this proposed viticultural area, its name, "Rattlesnake Hills" will be recognized as a name of viticultural significance. Consequently, wine bottlers using "Rattlesnake Hills" in a brand name, including a trademark, or in another label reference as to the origin of the wine, will have to ensure that the product is eligible to use the viticultural area's name as an appellation of origin. On the other hand, we do not believe that any single part of the proposed viticultural area name standing alone, such as "Rattlesnake," would have viticultural significance if the new area is established.

Accordingly, the proposed part 9 regulatory text set forth in this document specifies only the full "Rattlesnake Hills" name as a term of viticultural significance for purposes of part 4 of the TTB regulations.

For a wine to be eligible to use as an appellation of origin the name of a viticultural area specified in part 9 of the TTB regulations, at least 85 percent of the grapes used to make the wine must have been grown within the area represented by that name, and the wine must meet the other conditions listed in 27 CFR 4.25(e)(3). If the wine is not eligible to use the viticultural area name as an appellation of origin and that name appears in the brand name, then the label is not in compliance and the bottler must change the brand name and obtain approval of a new label. Similarly, if the viticultural area name appears in another reference on the label in a misleading manner, the bottler would have to obtain approval of a new label. Accordingly, if a new label or a previously approved label uses the name "Rattlesnake Hills" for a wine that does not meet the 85 percent standard, the new label will not be approved, and the previously approved label will be subject to revocation, upon the effective date of the approval of the Rattlesnake Hills viticultural area.

Different rules apply if a wine has a brand name containing a viticultural area name that was used as a brand name on a label approved before July 7, 1986. See 27 CFR 4.39(i)(2) for details.

Public Participation

Comments Invited

We invite comments from interested members of the public on whether we should establish the proposed viticultural area. We are also interested in receiving comments on the sufficiency and accuracy of the name, boundary, climatic, and other required information submitted in support of the petition. Please provide any available specific information in support of your comments.

Because of the potential impact of the establishment of the proposed Rattlesnake Hills viticultural area on wine labels that include the words "Rattlesnake Hills" as discussed above under *Impact on Current Wine Labels*, we are particularly interested in comments regarding whether there will be a conflict between the proposed area name and currently used brand names. If a commenter believes that a conflict will arise, the comment should describe the nature of that conflict, including any negative economic impact that approval of the proposed viticultural area will have on an existing viticultural enterprise. We are also interested in receiving suggestions for ways to avoid any conflicts, for example by adopting a modified or different name for the viticultural area.

Although TTB believes that only the full name "Rattlesnake Hills" should be considered to have viticultural significance upon establishment of the proposed new viticultural area, we also invite comments from those who believe that "Rattlesnake" standing alone would have viticultural significance upon establishment of the area. Comments in this regard should include documentation or other information supporting the conclusion that use of "Rattlesnake" on a wine label could cause consumers and vintners to attribute to the wine in question the quality, reputation, or other characteristic of wine made from grapes grown in the proposed Rattlesnake Hills viticultural area.

Submitting Comments

Please submit your comments by the closing date shown above in this notice. Your comments must include this notice number and your name and mailing address. Your comments must be legible and written in language acceptable for public disclosure. We do not acknowledge receipt of comments, and we consider all comments as originals. You may submit comments in one of five ways:

- *Mail*: You may send written comments to TTB at the address listed in the **ADDRESSES** section.
- *Facsimile*: You may submit comments by facsimile transmission to 202-927-8525. Faxed comments must—
 - (1) Be on 8.5- by 11-inch paper;
 - (2) Contain a legible, written signature; and
 - (3) Be no more than five pages long.
 This limitation assures electronic access to our equipment. We will not accept faxed comments that exceed five pages.
- *E-mail*: You may e-mail comments to nprm@ttb.gov. Comments transmitted by electronic mail must—
 - (1) Contain your e-mail address;
 - (2) Reference this notice number on the subject line; and
 - (3) Be legible when printed on 8.5-by 11-inch paper.
- *Online form*: We provide a comment form with the online copy of this notice on our Web site at <http://www.ttb.gov/alcohol/rules/index.htm>. Select the "Send comments via e-mail" link under this notice number.
- *Federal e-Rulemaking Portal*: To submit comments to us via the Federal e-rulemaking portal, visit <http://www.regulations.gov> and follow the instructions for submitting comments.

You may also write to the Administrator before the comment closing date to ask for a public hearing. The Administrator reserves the right to determine, in light of all circumstances, whether to hold a public hearing.

Confidentiality

All submitted material is part of the public record and subject to disclosure. Do not enclose any material in your comments that you consider confidential or inappropriate for public disclosure.

Public Disclosure

You may view copies of this notice, the petition, the appropriate maps, and any comments we receive by appointment at the TTB Library at 1310 G Street, NW., Washington, DC 20220. You may also obtain copies at 20 cents per 8.5- x 11-inch page. Contact our librarian at the above address or telephone 202-927-2400 to schedule an appointment or to request copies of comments.

For your convenience, we will post this notice and comments we receive on the TTB Web site. We may omit voluminous attachments or material that we consider unsuitable for posting. In all cases, the full comment will be available in the TTB Library. To access the online copy of this notice and the submitted comments, visit <http://www.ttb.gov/alcohol/rules/index.htm>.

Select the "View Comments" link under this notice number to view the posted comments.

Regulatory Flexibility Act

We certify that this proposed regulation, if adopted, would not have a significant economic impact on a substantial number of small entities. The proposed regulation imposes no new reporting, recordkeeping, or other administrative requirement. Any benefit derived from the use of a viticultural area name would be the result of a proprietor's efforts and consumer acceptance of wines from that area. Therefore, no regulatory flexibility analysis is required.

Executive Order 12866

This proposed rule is not a significant regulatory action as defined by Executive Order 12866, 58 FR 51735. Therefore, it requires no regulatory assessment.

Drafting Information

N.A. Sutton of the Regulations and Procedures Division drafted this notice.

List of Subjects in 27 CFR Part 9

Wine.

Proposed Regulatory Amendment

For the reasons discussed in the preamble, we propose to amend title 27 CFR, chapter 1, part 9, as follows:

PART 9—AMERICAN VITICULTURAL AREAS

1. The authority citation for part 9 continues to read as follows:

Authority: 27 U.S.C. 205.

2. Amend subpart C by adding § 9._____ to read as follows:

Subpart C—Approved American Viticultural Areas

§ 9._____ Rattlesnake Hills.

(a) *Name*. The name of the viticultural area described in this section is "Rattlesnake Hills". For purposes of part 4 of this chapter, "Rattlesnake Hills" is a term of viticultural significance.

(b) *Approved Maps*. The eight United States Geological Survey, 1:24,000 scale, topographic maps used to determine the boundaries of the Rattlesnake Hills viticultural area are titled—

- (1) Yakima East Quadrangle, Washington—Yakima Co., 1953, Photorevised 1985;
- (2) Elephant Mountain Quadrangle, Washington—Yakima Co., 1953, Photorevised 1985;
- (3) Granger NW Quadrangle, Washington—Yakima Co., 1965;

(4) Granger NE Quadrangle, Washington—Yakima Co., 1964;

(5) Sunnyside Quadrangle, Washington—Yakima Co., 1965, Photorevised 1978;

(6) Granger Quadrangle, Washington—Yakima Co., 1965;

(7) Toppenish Quadrangle, Washington—Yakima Co., 1958, Photorevised 1985; and

(8) Wapato Quadrangle, Washington—Yakima Co., 1958, Photorevised 1985.

(c) *Boundary.* The Rattlesnake Hills viticultural area is located in Yakima County, Washington. The area's boundaries are defined as follows—

(1) The point of beginning is on the Yakima East map at the point where a line drawn straight east from the west end of the Wapato Dam on the Yakima River intersects Interstate Highway 82, section 17, T12N/R19E. This line coincides with the boundary of the Yakima Valley viticultural area (27 CFR 9.69). From the beginning point, the Rattlesnake Hills viticultural area boundary line—

(2) Proceeds straight east-southeast, crossing onto the Elephant Mountain map, to the 2,192-foot peak of Elephant Mountain, section 16, T12N/R20E; then

(3) Continues straight southeast, crossing over the northeast corner of the Toppenish map, and continuing onto the Granger NW map, to the 2,186-foot pinnacle of Zillah Peak, section 32, T12N/R21E; then

(4) Continues straight east-southeast, crossing onto the Granger NE map, to the 3,021-foot peak of High Top Mountain, section 32, T12N/R22E; then

(5) Continues straight east-southeast to the 2,879-foot peak in the northeast quadrant of section 3, T11N/R22E, and continues in the same direction in a straight line, to the line's intersection with the 120°00' west longitude line in section 1 of T11N/R22E along the east margin of the Granger NE map; then

(6) Proceeds straight south along the 120°00' west longitude line to its intersection with a set of power lines in section 24, T11N/R22E, on the east margin of the Granger NE map; then

(7) Follows the power lines southwest, crossing onto the Sunnyside map, to their intersection with the Sunnyside Canal, section 8, T10N/R22E; then

(8) Follows the meandering Sunnyside Canal generally northwest, crossing over the northeast corner of the Granger map, and continuing over the Granger NW map, the Toppenish map, and onto the Wapato map to the canal's intersection with Interstate Highway 82, section 27 west boundary line, T12N/R19E; then

(9) Follows Interstate Highway 82 northwest for 2.75 miles, crossing onto the Yakima East map, and returns to the point of beginning.

Signed: May 17, 2005.

John J. Manfreda,
Administrator.

[FR Doc. 05-10880 Filed 5-31-05; 8:45 am]

BILLING CODE 4810-31-P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 180

[OPP-2005-0069; FRL-7712-7]

Inert Ingredients; Proposal to Revoke 34 Pesticide Tolerance Exemptions for 31 Chemicals

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to revoke 34 exemptions from the requirement of a tolerance that are associated with 31 inert ingredients because these substances are no longer contained in active Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) pesticide product registrations. These ingredients are subject to reassessment by August 2006 under section 408(q) of the Federal Food, Drug, and Cosmetic Act (FFDCA), as amended by the Food Quality Protection Act of 1996 (FQPA). Upon the issuance of the final rule revoking the tolerance exemptions, the 34 tolerance exemptions will be counted as "reassessed" for purposes of FFDCA's section 408(q).

DATES: Comments must be received on or before August 1, 2005.

ADDRESSES: Submit your comments, identified by docket identification (ID) number OPP-2005-0069, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov/>. Follow the on-line instructions for submitting comments.

- *Agency Website:* <http://www.epa.gov/edocket/>. EDOCKET, EPA's electronic public docket and comment system, is EPA's preferred method for receiving comments. Follow the on-line instructions for submitting comments.

- *E-mail:* Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID Number OPP-2005-0069.

- *Mail:* Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection

Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2005-0069.

- *Hand Delivery:* Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2005-0069. Such deliveries are only accepted during the Docket's normal hours of operation, and special arrangements should be made for deliveries of boxed information.

Instructions: Direct your comments to docket ID number OPP-2005-0069. EPA's policy is that all comments received will be included in the public docket without change and may be made available online at <http://www.epa.gov/edocket/>, including any personal information provided, unless the comment includes information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. Do not submit information that you consider to be CBI or otherwise protected through EDOCKET, [regulations.gov](http://www.regulations.gov), or e-mail. The EPA EDOCKET and the [regulations.gov](http://www.regulations.gov) websites are "anonymous access" systems, which means EPA will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to EPA without going through EDOCKET or [regulations.gov](http://www.regulations.gov), your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet. If you submit an electronic comment, EPA recommends that you include your name and other contact information in the body of your comment and with any disk or CD ROM you submit. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment. Electronic files should avoid the use of special characters, any form of encryption, and be free of any defects or viruses. For additional information about EPA's public docket visit EDOCKET on-line or see the **Federal Register** of May 31, 2002 (67 FR 38102) (FRL-7181-7).

Docket: All documents in the docket are listed in the EDOCKET index at <http://www.epa.gov/edocket/>. Although listed in the index, some information is not publicly available, i.e., CBI or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the Internet and will be

publicly available only in hard copy form. Publicly available docket materials are available either electronically in EDOCKET or in hard copy at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This Docket Facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The Docket telephone number is (703) 305-5805.

FOR FURTHER INFORMATION CONTACT:

Karen Angulo, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave, NW., Washington, DC 20460-0001; telephone number: (703) 306-0404; e-mail address: angulo.karen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS code 111)
- Animal production (NAICS code 112)
- Food manufacturing (NAICS code 311)
- Pesticide manufacturing (NAICS code 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Access Electronic Copies of this Document and Other Related Information?

In addition to using EDOCKET (<http://www.epa.gov/edocket/>), you may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>. A frequently updated electronic version of 40 CFR part 180 is available at E-CFR Beta Site Two at <http://www.gpoaccess.gov/ecfr/>.

C. What Should I Consider as I Prepare My Comments for EPA?

1. *Submitting CBI.* Do not submit this information to EPA through EDOCKET, regulations.gov, or e-mail. Clearly mark the part or all of the information that you claim to be CBI. For CBI information in a disk or CD ROM that you mail to EPA, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is claimed as CBI. In addition to one complete version of the comment that includes information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket. Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

2. *Tips for preparing your comments.* When submitting comments, remember to:

- i. Identify the rulemaking by docket ID number and other identifying information (subject heading, **Federal Register** date, and page number).
- ii. Follow directions. The Agency may ask you to respond to specific questions or organize comments by referencing a Code of Federal Regulations (CFR) part or section number.
- iii. Explain why you agree or disagree; suggest alternatives and substitute language for your requested changes.
- iv. Describe any assumptions and provide any technical information and/or data that you used.
- v. If you estimate potential costs or burdens, explain how you arrived at your estimate in sufficient detail to allow for it to be reproduced.
- vi. Provide specific examples to illustrate your concerns, and suggest alternatives.
- vii. Explain your views as clearly as possible, avoiding the use of profanity or personal threats.
- viii. Make sure to submit your comments by the comment period deadline identified.

II. Background and Statutory Findings

This proposed rule is issued pursuant to section 408(d) of FFDCA (21 U.S.C. 346a(d)). Section 408 of FFDCA authorizes the establishment of tolerances, exemptions from the requirement of a tolerance, modifications in tolerances, and revocation of tolerances for residues of pesticide chemicals in or on raw agricultural commodities and processed foods. Without a tolerance or tolerance exemption, food containing pesticide residues is considered to be unsafe and

therefore “adulterated” under section 402(a) of FFDCA. If food containing pesticide residues is found to be adulterated, the food may not be distributed in interstate commerce (21 U.S.C. 331(a) and 342 (a)).

III. What Action is the Agency Taking?

EPA is proposing to revoke 34 exemptions from the requirement of a tolerance for 31 inert ingredients because those substances are no longer contained in currently registered pesticide products requiring reassessment under section 408(q) of FFDCA. It is EPA’s general practice to revoke tolerances and tolerance exemptions for pesticide chemical residues (which includes both active and inert ingredients) for which there are no associated active registered uses under FIFRA, or for which there are no registered products to which the tolerance or tolerance exemption applies, or for tolerances or tolerance exemptions that have been superseded, unless a person commenting on the proposal indicates a need for the tolerance or exemption to cover residues in or on imported commodities or legally treated domestic commodities.

Listed below are the 31 inert ingredients and their associated 34 tolerance exemptions that are subject to this proposal. EPA is proposing that the revocation of these 34 tolerance exemptions will become effective on the date of the final rule’s publication in the **Federal Register**. For counting purposes, and based on this proposed action, 34 exemptions would be counted as reassessments toward the August 2006 review deadline of FFDCA section 408(q), as amended by FQPA in 1996.

1. Acetonitrile (40 CFR 180.920).
2. Acetylated lanolin alcohol (40 CFR 180.930).
3. Almond, bitter (40 CFR 180.920).
4. Aluminum 2-ethylhexanoate (40 CFR 180.920).
5. 1,3-Butylene glycol dimethacrylate (40 CFR 180.920).
6. Calcium and sodium salts of certain sulfonated petroleum fractions (mahogany soaps); calcium salt molecular weight (in amu) 790-1,020, sodium salt molecular weight (in amu) 400-500 (40 CFR 180.920 and 930).
7. Chlorotoluene (40 CFR 180.1045).
8. Copper salts of neodecanoic acid and 2-ethylhexanoic acid (40 CFR 180.920).
9. Cumene (isopropylbenzene) (40 CFR 180.930).
10. Diallyl phthalate (40 CFR 180.920).
11. Dibutyltin dilaurate (CAS Reg. No. 77-58-7) (40 CFR 180.930).

12. Dipropylene glycol dibenzoate (40 CFR 180.920).

13. *O,O*-Diethyl-*O*-phenylphosphorothioate (40 CFR 180.1066).

14. Ethyl methacrylate (40 CFR 180.920).

15. Ethylene methylphenylglycidate (40 CFR 180.910).

16. Furfural byproduct (a granular steam-acid sterilized, lignocellulosic residuum in the extraction of furfural from corn cobs, sugarcane bagasse, cottonseed hulls, oat hulls, and rice hulls) (40 CFR 180.920).

17. Isopropylbenzene (40 CFR 180.920).

18. 4,4'-Isopropylidenediphenol alkyl (C12-C15) phosphites (CAS Reg. No. 92908-32-2) (40 CFR 180.930).

19. Methyl isoamyl ketone (40 CFR 180.920).

20. Methyl methacrylate (40 CFR 180.920).

21. X-(p-Nonylphenyl)-v-hydroxy-poly(oxyethylene) sulfosuccinate isopropylamine and *N*-hydroxyethyl isopropylamine salts of: the poly(oxyethylene) content averages 8 moles (40 CFR 180.920).

22. Phosphorus oxychloride (40 CFR 180.910).

23. Polyethylene esters of fatty acids, conforming to 21 CFR 172.854 (40 CFR 180.930).

24. Propylene dichloride (40 CFR 180.920).

25. Sodium fluoride (40 CFR 180.920).

26. Sulfurous acid (40 CFR 180.910).

27. Tetrasodium *N*-(1,2-dicarboxyethyl)-*N*-octadecyl-sulfosuccinamate (40 CFR 180.920).

28. 2,2'-(2,5-Thiophenediyl)bis(5-tert-butylbenzoxazole) (CAS Reg. No. 7128-64-5) (40 CFR 180.920).

29. 1,1,1-Trichloroethane (40 CFR 180.910 and 930).

30. Triethylene glycol diacetate (CAS Reg. No. 111-21-7) (40 CFR 180.930).

31. Tri-tert-butylphenol polyglycol ether (molecular weight (in amu) 746), (40 CFR 180.920 and 930).

A. What Can I Do if I Wish to Maintain an Exemption that the Agency is Proposing to Revoke?

EPA's records show that the inert ingredients subject to this notice are not contained in any currently registered pesticide products with uses that would require tolerances or tolerance exemptions under section 408 of FFDCA. Parties who believe that EPA's records are incorrect and that one or more of these ingredients are indeed contained in a currently registered pesticide product are encouraged to submit documentation to EPA in the form of the currently registered

pesticide product's accepted Confidential Statement of Formula. Parties who know of a pending registration action for a product that contains an inert ingredient subject to this notice may submit documentation to EPA in the form of a copy of the Agency's letter confirming the receipt of an application for registration or registration amendment for such product. In addition, parties who are currently in the process of developing a pesticide product containing an inert ingredient subject to this notice may submit to EPA a letter asserting their intention to apply for a FIFRA section 3 registration of said product within 2 years. This letter must include documentation of the inclusion of the inert ingredient in the proposed pesticide product, such as a description of the formulation's ingredients, and must confirm their intention to submit an application for registration or registration amendment within 2 years from the publication date of this Notice.

EPA is aware that inert ingredients are also contained in pesticide adjuvant products which are not subject to registration under FIFRA. The Agency does not keep records of currently used adjuvants or their ingredients, therefore, it has been unable to conclusively confirm the use of adjuvants containing one of these inert ingredients. Parties who know of currently used adjuvant products that contain an inert ingredient subject to this proposal are encouraged to submit documentation to EPA in the form of the adjuvant product's current label and/or documentation of the registration of the adjuvant product with a State adjuvant registration program.

Also, inert ingredient tolerance exemptions will be retained if the tolerances or exemptions (which EPA refers to as "import" tolerances) are necessary to allow importation into the United States of food containing such residues. Through this proposed rule, the Agency is inviting individuals who need these import tolerance exemptions to identify those exemptions that are needed to cover imported commodities.

EPA will retain an inert ingredient tolerance exemption if the documentation described above is submitted to EPA by the end of the comment period as specified under **DATES** in this document, and the Agency can verify the existence of a currently registered pesticide product, a registration action pending at EPA, an import tolerance, or a currently used adjuvant product that contains the ingredient in question.

Parties interested in the retention of any of the tolerance exemptions subject to this notice should be aware that

because these ingredients are currently subject to reassessment under section 408(q) of FFDCA, additional data may be needed to support retention of the exemption. Reassessment activities for such ingredients must be completed by August 2006. If the Agency is unable to determine that the exemptions for these ingredients meet the FFDCA standard for reassessment, the Agency will revoke the exemptions.

B. When Do These Actions Become Effective?

EPA is proposing that revocation of these tolerance exemptions become effective on the day the final rule revoking these tolerance exemptions is published in the **Federal Register**. If you have comments regarding whether the effective date allows sufficient time for treated commodities to clear the channels of trade, please submit comments as described under Unit I.C. Similarly, if you have comments regarding these tolerance exemption revocations or the effective date of the revocations, please submit comments as described under Unit I.C. Any commodities treated with the pesticide products containing an inert ingredient subject to this proposal, and in the channels of trade following the tolerance revocations, shall be subject to FFDCA section 408(i)(5), as established by FQPA. Under this section, any residues of these pesticide chemicals in or on such food shall not render the food adulterated so long as it is shown to the satisfaction of the Food and Drug Administration (FDA) that: (1) The residue is present as the result of an application or use of the pesticide at a time and in a manner that was lawful under FIFRA, and (2) the residue does not exceed the level that was authorized at the time of the application or use to be present on the food under a tolerance or exemption from tolerance. Evidence to show that food was lawfully treated may include records that verify the dates that the pesticide was applied to such food.

IV. Statutory and Executive Order Reviews

In this proposed rule, EPA is proposing to revoke specific tolerance exemptions established under section 408(d) of FFDCA. The Office of Management and Budget (OMB) has exempted these types of actions from review under Executive Order 12866, entitled *Regulatory Planning and Review* (58 FR 51735, October 4, 1993). Because this proposed rule has been exempted from review under Executive Order 12866 due to its lack of significance, this proposed rule is not

subject to Executive Order 13211, *Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use* (66 FR 28355, May 22, 2001). This proposed rule does not contain any information collections subject to OMB approval under the Paperwork Reduction Act (PRA), 44 U.S.C. 3501 *et seq.*, or impose any enforceable duty or contain any unfunded mandate as described under Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) (Public Law 104–4). Nor does it require any special considerations under Executive Order 12898, entitled *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (59 FR 7629, February 16, 1994); or OMB review or any Agency action under Executive Order 13045, entitled *Protection of Children from Environmental Health Risks and Safety Risks* (62 FR 19885, April 23, 1997). This action does not involve any technical standards that would require Agency consideration of voluntary consensus standards pursuant to section 12(d) of the National Technology Transfer and Advancement Act of 1995 (NTTAA), Public Law 104–113, section 12(d) (15 U.S.C. 272 note). Pursuant to the Regulatory Flexibility Act (RFA) (5 U.S.C. 601 *et seq.*), the Agency previously assessed whether revocations of tolerances might significantly impact a substantial number of small entities and concluded that, as a general matter, these actions do not impose a significant economic impact on a substantial number of small entities. This analysis was published on December 17, 1997 (62 FR 66020), and was provided to the Chief Counsel for Advocacy of the Small Business Administration. Taking into account this analysis, and available information concerning the pesticides listed in this proposed rule, the Agency hereby certifies that this proposed action will not have a significant economic impact on a substantial number of small entities. Specifically, as per the 1997 notice, EPA has reviewed its available data on imports and foreign pesticide usage and concludes that there is a reasonable international supply of food not treated with pesticides containing the ingredients proposed for revocation in this notice. Furthermore, for the pesticides named in this proposed rule, the Agency knows of no extraordinary circumstances that exist as to the present proposal that would change EPA's previous analysis. Any comments about the Agency's determination should be submitted to EPA along with comments on the proposal, and will be addressed prior to

issuing a final rule. In addition, the Agency has determined that this action will not have a substantial direct effect on States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government, as specified in Executive Order 13132, entitled *Federalism* (64 FR 43255, August 10, 1999). Executive Order 13132 requires EPA to develop an accountable process to ensure “meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.” “Policies that have federalism implications” is defined in the Executive Order to include regulations that have “substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.” This proposed rule directly regulates growers, food processors, food handlers and food retailers, not States. This action does not alter the relationships or distribution of power and responsibilities established by Congress in the preemption provisions of section 408(n)(4) of FFDCA. For these same reasons, the Agency has determined that this proposed rule does not have any “tribal implications” as described in Executive Order 13175, entitled *Consultation and Coordination with Indian Tribal Governments* (65 FR 67249, November 6, 2000). Executive Order 13175, requires EPA to develop an accountable process to ensure “meaningful and timely input by tribal officials in the development of regulatory policies that have tribal implications.” “Policies that have tribal implications” is defined in the Executive Order to include regulations that have “substantial direct effects on one or more Indian tribes, on the relationship between the Federal Government and the Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.” This proposed rule will not have substantial direct effects on tribal governments, on the relationship between the Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes, as specified in Executive Order 13175. Thus, Executive Order 13175 does not apply to this proposed rule.

List of Subjects in 40 CFR Part 180

Environmental protection,
Administrative practice and procedure,
Agricultural commodities, Pesticides

and pests, Reporting and
recordkeeping requirements.

Dated: May 12, 2005.

Lois Rossi,

*Director, Registration Division, Office of
Pesticide Programs.*

Therefore, it is proposed that 40 CFR part 180 be amended as follows:

PART 180—AMENDED

1. The authority citation for part 180 continues to read as follows:

Authority: 21 U.S.C. 321(q), 346a and 371.

§ 180.1045 and § 180.1066 [Removed]

2. Sections 180.1045 and 180.1066 are removed.

§ 180.910 [Amended]

3. Section 180.910 is amended by removing from the table the entries for Ethylene methylphenylglycidate; Phosphorus oxychloride; Sulfurous acid; and 1,1,1-Trichloroethane.

§ 180.920 [Amended]

4. Section 180.920 is amended by removing from the table the entries for:

- a. Acetonitrile;
- b. Almond, bitter;
- c. Aluminum 2-ethylhexanoate;
- d. 1,3-Butylene glycol dimethacrylate;
- e. Calcium and sodium salts of certain sulfonated petroleum fractions (mahogany soaps); calcium salt molecular weight (in amu) 790-1,020, sodium salt molecular weight (in amu) 400-500;
- f. Copper salts of neodecanoic acid and 2-ethylhexanoic acid;
- g. Diallyl phthalate;
- h. Dipropylene glycol dibenzoate;
- i. Ethyl methacrylate;
- j. Furfural byproduct (a granular steam-acid sterilized, lignocellulosic residuum in the extraction of furfural from corn cobs, sugarcane bagasse, cottonseed hulls, oat hulls, and rice hulls);
- k. Isopropylbenzene;
- l. Methyl isoamyl ketone;
- m. Methyl methacrylate;
- n. X-(p-Nonylphenyl)-v-hydroxy-poly(oxyethylene) sulfosuccinate isopropylamine and N-hydroxyethyl isopropylamine salts of: the poly(oxyethylene) content averages r moles;
- o. Propylene dichloride;
- p. Sodium fluoride;
- q. Tetrasodium N-(1,2-dicarboxyethyl)-N-octadecyl-sulfosuccinamate;
- r. (2,2'(2,5-Thiophenediyl)bis(5-tert-butylbenzoxazole)) (CAS Reg. No. 7128–64–5); and

s.Tri-tert-butylphenol polyglycol ether (molecular weight (in amu) 746).

§ 180.930 [Amended]

5. Section 180.930 is amended by removing from the table the entries for:

- a. Acetylated lanolin alcohol;
- b. Calcium and sodium salts of certain sulfonated petroleum fractions (mahogany soaps); calcium salt molecular weight (in amu) 790–1020, sodium salt molecular weight (in amu) 400–500;
- c. Cumene (isopropylbenzene);
- d. Dibutyltin dilaurate (CAS Reg. No. 77–58–7);
- e. 4,4'-Isopropylidenediphenol alkyl (C12–C15) phosphites (CAS Reg. No. 92908–32–2);
- f. Polyethylene esters of fatty acids, conforming to 21 CFR 172.854;
- g. 1,1,1-Trichloroethane;
- h. Triethylene glycol diacetate (CAS Reg. No. 111–21–7); and
- i. Tri-tert-butylphenol polyglycol ether (molecular weight (in amu) 746).

[FR Doc. 05–10680 Filed 5–31–05; 8:45 am]

BILLING CODE 6560–50–S

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 52 and 64

[CC Docket No. 92–237; DA 05–1154]

Comment Sought to Refresh Record on Carrier Identification Code (CIC) Conservation and Definition of “Entity” for Purposes of CIC Assignments

AGENCY: Federal Communications Commission.

ACTION: Further notice of proposed rulemaking; solicitation of comments.

SUMMARY: In this document, interested parties are invited to comment to refresh the record on Carrier Identification Code (CIC) Conservation and the Definition of “Entity” for purposes of CIC assignments.

DATES: Comments are due on or before July 1, 2005. Reply comments are due on or before July 18, 2005.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. See

SUPPLEMENTARY INFORMATION for further filing instructions.

FOR FURTHER INFORMATION CONTACT: Marilyn Jones, Wireline Competition Bureau, Telecommunications Access Policy Division, (202) 418–7400, TTY (202) 418–0484.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission’s public

notice, CC Docket No. 92–237, DA 05–1154, released April 26, 2005. In this document, interested parties are invited to refresh the record on issues raised in the Further Notice of Proposed Rulemaking related to carrier identification code (CIC) conservation and the definition of “entity” as found in section 1.3 of the CIC Assignment Guidelines.

Specifically, we invite interested parties, in light of any changed circumstances, to respond to questions in the *CIC Further Notice*, 62 FR 54817, October 22, 1997, regarding the two CIC per entity limit, and proposed changes to the definition of the term “entity.”

Pursuant to §§ 1.415 and 1.419 of the Commission’s rules, 47 CFR 1.415, 1.419, interested parties may file comments as follows: comments are due on or before July 1, 2005, and reply comments on or before July 18, 2005. All pleadings are to reference CC Docket No. 92–237. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS), the Federal Government’s eRulemaking Portal, or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998.

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, “get form.” A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Parties that choose to file by paper must file an original and four copies of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail

(although we continue to experience delays in receiving U.S. Postal Service mail).

The Commission’s contractor Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission’s Secretary at a new location in downtown Washington, DC. The address is 236 Massachusetts Avenue, NE., Suite 110, Washington, DC 20002. The filing hours at this location will be 8 a.m. to 7 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes must be disposed of before entering the building.

Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW., Washington, DC 20554. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

The original petitions for reconsideration that parties filed in 2001 are available for inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY–A257, Washington, DC 20554. The documents may also be purchased from Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY–B402, Washington, DC 20554, telephone 1–800–378–3160, or via e-mail <http://www.BCPIweb.com>.

This matter shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s ex parte rules. See 47 CFR 1.1200, 1.1206. Persons making oral ex parte presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented is generally required. See 47 CFR 1.1206(b). Other rules pertaining to oral and written ex parte presentations in permit-but-disclose proceedings are set forth in § 1.1206(b) of the Commission’s rules, 47 CFR 1.1206(b).

List of Subjects

47 CFR Part 52

Local exchange carrier, Numbering, Telecommunications.

47 CFR Part 64

Communications common carriers, Telephone.

Federal Communications Commission.

Cheryl L. Callahan,

*Assistant Chief, Wireline Competition Bureau,
Telecommunications Access Policy Division.*

[FR Doc. 05-10659 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 64

[CG Docket No. 02-386; FCC 05-29]

Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers

AGENCY: Federal Communications
Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Commission seeks comment on issues relating to the exchange of customer account information between Local Exchange Carriers. The Commission specifically questions whether we should require all local service providers to participate in the exchange of customer account information and if so, what information local service providers should be required to supply. In addition, in this document the Commission seeks comment broadly on the interplay between the state rules and any federal rules we might adopt in this area.

DATES: Comments are due on or before July 18, 2005, and reply comments are due August 1, 2005. Written comments on the proposed information collection(s) must be submitted by the public, Office of Management and Budget (OMB), and other interested parties on or before August 1, 2005.

ADDRESSES: Federal Communications Commission, 445 12th Street, SW., Washington, DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the Paperwork Reduction Act (PRA) information collection requirements contained herein should be submitted to Leslie Smith, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., Washington, DC 20554, or via the Internet to Leslie.Smith@fcc.gov, and to Kristy L. LaLonde, OMB Desk Officer, Room 10234 NEOB, 725 17th Street, NW., Washington, DC 20503, via the Internet to Kristy_L._LaLonde@omb.eop.gov, or via fax at (202) 395-5167.

FOR FURTHER INFORMATION CONTACT: Lisa Boehley, Consumer & Governmental Affairs Bureau at (202) 418-7395

(voice), or e-mail Lisa.Boehley@fcc.gov. For additional information concerning the PRA information collection requirements contained in this document, contact Leslie Smith at (202) 418-0217, or via the Internet at Leslie.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION: This *Further Notice of Proposed Rulemaking* (FNPRM), *Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers*, CG Docket No. 02-386, FCC 05-29, contains proposed information collection requirements subject to the PRA of 1995, Public Law 104-13. It will be submitted to the Office of Management and Budget (OMB) for review under section 3507(d) of the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed information collection requirements contained in this proceeding.

This is a summary of the Commission's FNPRM, adopted February 10, 2005, and released February 25, 2005. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121, May 1, 1998. Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/e-file/ecfs.html>.

Copies of this document and any subsequently filed documents in this matter will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The complete text of this decision may be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554. Customers may contact BCPI, Inc. at their Web site: <http://www.bcpweb.com> or call 1-800-378-3160. To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice) or (202) 418-0432 (TTY). This document can also be downloaded in Word and Portable Document Format (PDF) at: <http://www.fcc.gov/cgb/pol>.

Initial Paperwork Reduction Act of 1995 Analysis

This FNPRM contains proposed information collection requirements. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and the Office of Management and Budget (OMB) to comment on the information collection requirements contained in this FNPRM, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. Public and agency comments are due August 1, 2005.

Comments should address: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4), we seek specific comment on how we might "further reduce the information collection burden for small business concerns with fewer than 25 employees."

OMB Control Number: 3060-xxxx.

Title: Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers, CG Docket No. 02-386, *Further Notice of Proposed Rulemaking* (FNPRM), FCC 05-29.

Form Number: N/A.

Type of Review: New collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 1,873; 60 responses per year.

Estimated Time per Response: 0.25 hours.

Frequency of Responses: On occasion and annual reporting requirements.

Total Annual Burden: 28,095 hours.

Total Annual Cost: \$210,713.

Privacy Impact Assessment: No.

Needs and Uses: On February 25, 2005, the FCC released a *Further Notice of Proposed Rulemaking, Rules and Regulations Implementing Minimum Customer Account Record Exchange Obligations on All Local and Interexchange Carriers* (FNPRM), which seeks comment on whether the Commission should require all local service providers to participate in the

exchange of customer account information when a customer switches from one local service provider to another. The Commission is considering the adoption of rules governing information exchanges between local service providers. The Commission is taking this step in response to concerns that have been brought to its attention by particular local service providers. In particular, local service providers complain of the failure on the part of certain providers to transmit basic customer account information when a customer changes from one local service provider to another. The comments suggest that mandatory information exchanges in these situations may help to ensure that customer migrations from one local service provider to another will take place seamlessly and without undue delay. Mandatory information exchanges also may help to ensure the accuracy of customer bills for local telephone service and may assist the Commission and state commissions in their enforcement proceedings related to billing-related consumer complaints. We note that, in the *FNPRM*, the Commission has not proposed specific rules detailing the precise circumstances in which information exchanges may be required. If the Commission determines to adopt such rules, however, we anticipate that they will contain information collection requirements, within the meaning of the PRA.

Synopsis

In this *Further Notice of Proposed Rulemaking* (*FNPRM*), the Commission seeks comment on the exchange of information between Local Exchange Carriers (LECs). We specifically ask whether the Commission should require all local service providers to participate in the exchange of customer account information and if so, what information local service providers should be required to supply. A significant number of commenters recognize that the sharing of customer account information is necessary for service changes involving presubscribed Interexchange Carriers (IXCs). Certain local service providers argue that the exchange of end user account information between local service providers is equally critical when a customer is switching local service. As an incumbent LEC subject to § 271 obligations, one such commenter indicates that it already is required to provide timely customer account information to a requesting CLEC that has acquired a new customer. However, a similar obligation on CLECs does not exist. Many local service providers not

subject to the § 271 requirements fail to exchange information in a uniform manner or to provide complete and timely information, thereby delaying the customer's switch in service. Specifically, particular local service providers describe a problem with "old" local service providers not responding to customer service record requests in a timely or consistent manner. Customers, in turn, who expect service transitions to occur seamlessly and in a timely fashion, are confused about the source of the delay, frustrated, and often give up on the desired change. In addition, ATIS OBF's recent action to develop local service migration guidelines and to outline standards for the exchange of customer service record information suggests that the industry as a whole recognizes the need for uniform standards in connection with local-to-local carrier changes. The *FNPRM* seeks comment on the issues identified in the record of the CARE proceeding regarding LEC-to-LEC communications and on whether mandating the exchange of customer account information among LECs will reduce the problems identified therein, including double billing, delays in migration, and confusion on the part of consumers concerning their local service accounts. The Commission also requests comment on the exchange of "line level" information, such as working telephone number, current preferred interexchange carrier and freeze status, along with calling features such as toll blocking and call forwarding. In addition, the Commission seeks comment broadly on the interplay between the state rules and any federal rules we might adopt in the area of end user migrations between facilities-based providers. We ask that carriers identify problems specific to LEC-to-LEC exchanges that might warrant adopting standards for timeliness. If so, we ask commenters to describe what those standards for timeliness should be. Finally, the *FNPRM* seeks comment on ways to minimize the burdens on small businesses.

Initial Regulatory Flexibility Analysis (IRFA)

As required by the Regulatory Flexibility Act of 1980, as amended (RFA), (see 5 U.S.C. 603. The RFA, see 5 U.S.C. 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Public Law Number 104–121, Title II, 110 Statute 857 (1996)), the Commission has prepared this present Initial Regulatory Flexibility Analysis (*IRFA*) of the possible significant economic impact on small entities by

the policies and rules proposed in this *FNPRM*. Written public comments are requested on this *IRFA*. Comments must be identified as responses to the *FNPRM*. The Commission will send a copy of the *FNPRM*, including this *IRFA*, to the Chief Counsel for Advocacy of the Small Business Administration. See 5 U.S.C. 603(a). In addition, this *FNPRM* and the *IRFA* (or summaries thereof) will be published in the **Federal Register**.

Need for, and Objectives of, the Proposed Rules

The Commission determined that the record in this proceeding demonstrates that basic customer account information that carriers require to ensure accurate billing of end user customers and to execute end user customer requests in a timely manner is not being provided by all LECs and by all IXCs. This can inhibit customers' ability to move seamlessly from one carrier to another, and can result in substantial increases in unbillable calls and customer complaints. Therefore, the Commission adopted new rules to facilitate the exchange of customer account information between LECs and IXCs to ensure those consumers' phone service bills are accurate and that their carrier selection requests are honored and executed without undue delay.

The record suggests that local service providers experience many of the same difficulties with access to customer account information as described by Joint Petitioners, and that the sharing of necessary customer information is not limited to changes involving presubscribed IXCs. It appears that with the increase in competition and churn in the local market, coupled with the advent of local number portability, the failure to exchange information in a uniform or timely manner may result in an increase in customer migrations from LEC to LEC that are not seamless. Therefore, the *FNPRM* seeks comment on the exchange of information between LECs and asks whether the Commission should require that all local service providers participate in the exchange of customer account information. We seek comment specifically on whether mandating the exchange of customer account information among LECs will reduce the problems identified by commenters, including double billing, delays in migration, and consumer confusion about their service.

Legal Basis

The legal basis for any action that may be taken pursuant to this *FNPRM* is contained in §§ 1, 4(i), 4(j), 201, 202, 206–208, 222, and 258 of the

Communications Act of 1934, as amended, 47 U.S.C. 151, 154(i), 154(j), 201, 202, 206–208, 222, and 258, and § 1.421 and 1.429 of the Commission's rules, 47 CFR 1.421 and 1.429.

Description and Estimate of the Number of Small Entities to Which the Proposed Rules Will Apply

The RFA directs agencies to provide a description of and, where feasible, an estimate of the number of small entities that may be affected by the proposed rules, if adopted. (See 5 U.S.C. 603(b)(3)). The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.” (See 5 U.S.C. 601(6)). In addition, the term “small business” has the same meaning as the term “small business concern” under section 3 of the Small Business Act. (See 5 U.S.C. 601(3) (incorporating by reference the definition of “small business concern” in the Small Business Act, 15 U.S.C. 632). Pursuant to 5 U.S.C. 601(3), the statutory definition of a small business applies “unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definitions(s) in the **Federal Register**.”) Under the Small Business Act, a “small business concern” is one that: (1) Is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA). (See 15 U.S.C. 632).

We have included small incumbent LECs in this RFA analysis. As noted above, a “small business” under the RFA is one that, *inter alia*, meets the pertinent small business size standard (e.g., a wireline telecommunications business having 1,500 or fewer employees), and “is not dominant in its field of operation.” (See 13 CFR 121.201, NAICS code 517110). The SBA's Office of Advocacy contends that, for RFA purposes, small incumbent LECs are not dominant in their field of operation because any such dominance is not “national” in scope. (See Letter from Jere W. Glover, Chief Counsel for Advocacy, SBA, to Chairman William E. Kennard, FCC (May 27, 1999). The Small Business Act contains a definition of “small business concern,” which the RFA incorporates into its own definition of “small business.” See 5 U.S.C. 632(a) (Small Business Act); 5 U.S.C. 601(3) (RFA). SBA regulations interpret “small

business concern” to include the concept of dominance on a national basis. 13 CFR 121.102(b)). We have therefore included small incumbent LECs in this RFA analysis, although we emphasize that this RFA action has no effect on the Commission's analyses and determinations in other, non-RFA contexts.

Incumbent Local Exchange Carriers. Neither the Commission nor the SBA has developed a small business size standard for providers of incumbent local exchange services. The closest applicable size standard under the SBA rules is for Wired Telecommunications Carriers. Under that standard, such a business is small if it has 1,500 or fewer employees (13 CFR 121.201, NAICS code 517110). According to the FCC's Telephone Trends Report data, 1,310 incumbent local exchange carriers reported that they were engaged in the provision of local exchange services (FCC, Wireline Competition Bureau, Industry Analysis and Technology Division, *Trends in Telephone Service*, at Table 5.3, p. 5–5 (May 2004) (*Telephone Trends Report*). This source uses data that are current as of October 22, 2003. Of these 1,310 carriers, an estimated 1,025 have 1,500 or fewer employees and 285 have more than 1,500 employees. Consequently, the Commission estimates that the majority of providers of local exchange service are small entities that may be affected by the rules and policies adopted herein.

Competitive Local Exchange Carriers and Competitive Access Providers. Neither the Commission nor the SBA has developed specific small business size standards for providers of competitive local exchange services or competitive access providers (CAPs). The closest applicable size standard under the SBA rules is for Wired Telecommunications Carriers. Under that standard, such a business is small if it has 1,500 or fewer employees (See 13 CFR 121.201, NAICS code 517110). According to the FCC's Telephone Trends Report data, 563 companies reported that they were engaged in the provision of either competitive access provider services or competitive local exchange carrier services. (See *Telephone Trends Report*, Table 5.3. The data are grouped together in the *Telephone Trends Report*). Of these 563 companies, an estimated 472 have 1,500 or fewer employees, and 91 have more than 1,500 employees. Consequently, the Commission estimates that the majority of providers of competitive local exchange service and CAPs are small entities that may be affected by the rules.

Local Resellers. The SBA has developed a specific size standard for small businesses within the category of Telecommunications Resellers. Under that standard, such a business is small if it has 1,500 or fewer employees (See 13 CFR 121.201, NAICS code 517310). According to the FCC's Telephone Trends Report data, 127 companies reported that they were engaged in the provision of local resale services (See *Telephone Trends Report*, Table 5.3). Of these 127 companies, an estimated 121 have 1,500 or fewer employees, and six have more than 1,500 employees. Consequently, the Commission estimates that the majority of local resellers may be affected by the rules.

Toll Resellers. The SBA has developed a specific size standard for small businesses within the category of Telecommunications Resellers. Under that SBA definition, such a business is small if it has 1,500 or fewer employees (See 13 CFR 121.201, NAICS code 517310). According to the FCC's Telephone Trends Report data, 645 companies reported that they were engaged in the provision of toll resale services. (See *Telephone Trends Report*, Table 5.3). Of these 645 companies, an estimated 619 have 1,500 or fewer employees, and 26 have more than 1,500 employees. Consequently, the Commission estimates that a majority of toll resellers may be affected by the rules.

Interexchange Carriers. Neither the Commission nor the SBA has developed a specific size standard for small entities specifically applicable to providers of interexchange services. The closest applicable size standard under the SBA rules is for Wired Telecommunications Carriers. Under that standard, such a business is small if it has 1,500 or fewer employees. (See 13 CFR 121.201, NAICS code 517110). According to the FCC's Telephone Trends Report data, 281 carriers reported that their primary telecommunications service activity was the provision of interexchange services. (See *Telephone Trends Report*, Table 5.3). Of these 281 carriers, an estimated 254 have 1,500 or fewer employees, and 27 have more than 1,500 employees. Consequently, we estimate that a majority of interexchange carriers may be affected by the rules.

Operator Service Providers. Neither the Commission nor the SBA has developed a size standard for small entities specifically applicable to operator service providers. The closest applicable size standard under the SBA rules is for Wired Telecommunications Carriers. Under that standard, such a business is small if it has 1,500 or fewer employees. (See 13 CFR 121.201, NAICS

code 517110). According to the FCC's Telephone Trends Report data, 21 companies reported that they were engaged in the provision of operator services. (See *Telephone Trends Report*, Table 5.3). Of these 21 companies, an estimated 20 have 1,500 or fewer employees, and one has more than 1,500 employees. Consequently, the Commission estimates that a majority of operator service providers may be affected by the rules.

Prepaid Calling Card Providers. The SBA has developed a size standard for small businesses within the category of Telecommunications Resellers. Under that size standard, such a business is small if it has 1,500 or fewer employees. (See 13 CFR 121.201, NAICS code 517310). According to the FCC's Telephone Trends Report data, 40 companies reported that they were engaged in the provision of prepaid calling cards. (See *Telephone Trends Report*, Table 5.3). Of these 40 companies, all 40 are estimated to have 1,500 or fewer employees. Consequently, the Commission estimates that all or most prepaid calling card providers may be affected by the rules.

Other Toll Carriers. Neither the Commission nor the SBA has developed a size standard for small entities specifically applicable to "Other Toll Carriers." This category includes toll carriers that do not fall within the categories of interexchange carriers, operator service providers, prepaid calling card providers, satellite service carriers, or toll resellers. The closest applicable size standard under the SBA rules is for Wired Telecommunications Carriers. Under that standard, such a business is small if it has 1,500 or fewer employees. (See 13 CFR 121.201, NAICS code 517110). According to the FCC's Telephone Trends Report data, 65 carriers reported that they were engaged in the provision of "Other Toll Services." (See *Telephone Trends Report*, Table 5.3). Of these 65 carriers, an estimated 62 have 1,500 or fewer employees, and three have more than 1,500 employees. Consequently, the Commission estimates that a majority of "Other Toll Carriers" may be affected by the rules.

Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

As noted, the Commission seeks comment on whether mandatory minimum standards for the exchange of customer account information between local service providers could provide consistency within the industry and could eliminate a significant percentage

of consumer complaints concerning billing errors. In addition, we ask whether the Commission should mandate the use of CARE transaction codes to facilitate the exchange of customer account information. In the event any new standards for LEC-to-LEC exchanges are adopted, we expect that such standards will be minimal and will provide sufficient flexibility in their application that they will not create any significant burden on small entities.

Steps Taken To Minimize Significant Economic Impact on Small Entities, and Significant Alternatives Considered

The RFA requires an agency to describe any significant alternatives that it has considered in reaching its proposed approach, which may include the following four alternatives (among others): (1) The establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance or reporting requirements under the rule for such small entities; (3) the use of performance, rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for small entities. (See 5 U.S.C. 603(c)(1)-(c)(4)).

The *FNPRM* seeks comment on whether the Commission should impose mandatory minimum standards on all LECs for the exchange of customer account information between local service providers. (See *Further Notice* at paragraphs 75-81). The Commission seeks specific information addressing the possible impact of such mandatory requirements on smaller carriers, and it asks whether implementing CARE codes would be problematic for any LECs, or for small or rural LECs in particular. The Commission also asks commenters to discuss how, if the Commission were to adopt minimum standards for the exchange of information among LECs, it could provide sufficient flexibility to protect carriers, particularly small/rural LECs, from unduly burdensome requirements. The Commission does not have any evidence before it at this time regarding whether proposals outlined in this *FNPRM* would, if adopted, have a significant economic impact on a substantial number of small entities. However, the record in the proceeding involving LEC-to-IXC transfers revealed that there would likely be some additional burdens on small LECs required to transfer customer account information to IXC. Therefore, the Commission recognizes, in the context of LEC-to-LEC exchanges, mandating the exchange of customer account

information may result in additional burdens on small entities. The Commission therefore seeks comment on the potential impact of these proposals on small entities, and whether there are any less burdensome alternatives that we should consider.

Federal Rules That May Duplicate, Overlap, or Conflict With the Proposed Rules

In addressing the exchange of customer account information between LECs and IXCs, the Commission noted that § 222 of the Communications Act governs carriers' use of customer proprietary network information and generally prohibits a carrier from disclosing such information. Although the Commission does not believe § 222 duplicates, overlaps, or conflicts with the proposed rules on LEC-to-LEC exchanges, it seeks comment on the interplay between § 222 and the proposed rules.

Ordering Clauses

Pursuant to the authority contained in §§ 1-4, 201, 202, 222, 258, and 303(r) of the Communications Act of 1934, as amended; 47 U.S.C. 151-154, 201, 202, 222, 258, and 303(r), the *further notice of proposed rulemaking is adopted*.

The Commission's Consumer & Governmental Affairs Bureau, Reference Information Center, *shall send* a copy of the *Further Notice of Proposed Rulemaking*, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for Advocacy of the Small Business Administration.

List of Subjects in 47 CFR Part 64

Communications common carriers, Reporting and recordkeeping requirements.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10973 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[DA 05-1341; MB Docket No. 05-188; RM-11240]

Radio Broadcasting Services; Bass River Township and Ocean City, NJ

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition for rule making

filed by Press Communications, LLC ("Petitioner"), licensee of FM Station WKOE, Channel 292A, Ocean City, New Jersey. Petitioner requests that the Commission substitute 293A for Channel 292A, Station WKOE, and reallocate Channel 293A from Ocean City to Bass River Township, New Jersey. The coordinates for Channel 293A at Bass River Township are 39-39-00 NL and 74-21-20 WL, with a site restriction of 10.4 kilometers (6.4 miles) northeast of Bass River Township.

DATES: Comments must be filed on or before July 11, 2005, and reply comments on or before July 26, 2005.

ADDRESSES: Secretary, Federal Communications Commission, 445 12th Street, SW., Room TW-A325, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve Petitioner's counsel, as follows: Alan C. Campbell, Esq. and Nathaniel J. Hardy, Esq.; Irwin, Campbell & Tannanwald, P.C.; 1730 Rhode Island Avenue, NW., Suite 200; Washington, DC 20036-3101.

FOR FURTHER INFORMATION CONTACT: R. Barthen Gorman, Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's Notice of Proposed Rule Making, MB Docket No. 05-188, adopted May 18, 2005 and

released May 20, 2005. The full text of this Commission decision is available for inspection and copying during regular business hours in the FCC's Reference Information Center at Portals II, 445 12th Street, SW., CY-A257, Washington, DC, 20554. This document may also be purchased from the Commission's duplicating contractors, Best Copy and Printing, Inc., Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 1-800-378-3160 or <http://www.BCPIWEB.com>. This document does not contain proposed information collection requirements subject to the Paperwork Reduction Act of 1995, Public Law 104-13. In addition, therefore, it does not contain any proposed information collection burden "for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. 3506(c)(4).

The provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this

one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio, Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303, 334, and 336.

§ 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under New Jersey, is amended by adding Bass River Township, Channel 293A and by removing Channel 292A at Ocean City. Federal Communications Commission.

John A. Karousos,

Assistant Chief, Audio Division, Media Bureau.

[FR Doc. 05-10863 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

Notices

Federal Register

Vol. 70, No. 104

Wednesday, June 1, 2005

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

May 25, 2005.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Public Law 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), OIRA_Submission@OMB.EOP.GOV or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to

the collection of information unless it displays a currently valid OMB control number.

Forest Service

Title: Small Business Timber Set-Aside Program: Appeal Procedures on Recomputation of Shares.

OMB Control Number: 0596-0141.

Summary of Collection: The Conference Report accompanying the 1997 Omnibus Appropriation Act (Pub. L. 104-208) requires that the Forest Service (FS) establish a process by which purchasers may appeal decisions concerning recomputations of Small Business Set-aside (SBA) shares or structural recomputations of SBA shares, or changes in policies impacting the Small Business Timber Sale Set-Aside Program. FS adopted the Small Business Timber Sale Set-Aside Program on July 26, 1990. FS administers the program in cooperation with the Small Business Administration under the authorities of the Small Business Act of 1988, the National Forest Management Act of 1976, and SBA's regulations at Part 121 of Title 13 of the Code of Federal Regulations. The program is designed to ensure that small business timber purchasers have the opportunity to purchase a fair proportion of National Forest System timber offered for sale.

Need and Use of the Information: The information collected is submitted to a Forest Service Officer to review any appeal of decisions related to recomputations of timber sale share to be set-aside for small business timber purchasers.

Description of Respondents: Business or other for-profit.

Number of Respondents: 40.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 320.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 05-10837 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-11-P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

May 25, 2005.

The Department of Agriculture has submitted the following information

collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), OIRA_Submission@OMB.EOP.GOV or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

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Farm Service Agency

Title: Report of Acreage.

OMB Control Number: 0560-0004.

Summary of Collection: 7 U.S.C. 7333(b)(3) specifically requires, for crops and commodities covered by the Noninsured Crop Disaster Assistance Program (NAP), annual reports of acreage planted and prevented from being planted, as required by the Secretary, by the designated acreage reporting data for the crop and location as established by the Secretary. The report of acreage is conducted on an annual basis and is used by the Farm Service Agency (FSA) county offices to

determine eligibility for benefits that are available to producers on the farm. The actual number of producers who must supply information varies depending on (1) the type of farming operation, and (2) the mix of crops planted (which has a direct relationship to the type of program the producer is eligible to participate in). In order to establish eligibility annually for these programs, a minimal amount of land and crop data about a producer's farming operation is required. The information is subsequently used to ensure compliance with program provisions, to determine actual production histories, and when disaster occurs, to verify crop loss. Producers must provide the information each year because variables such as previous year experience, weather occurrences and projections, market demand, new farming techniques and personal preferences affect the amount of land being farmed, the mix of crops planted, and the projected harvest.

Need and Use of the Information: FSA will collect information verbally from the producers during visits to the county offices. FSA will collect one or more of the following data elements, as required: Crop planted, planting date, crop's intended use, type or variety, practice (irrigated or non-irrigated), acres, location of the crop (tract and field), and the producer's percent share in the crop along with the names of other producers having an interest in the crop. Once the information is collected and eligibility established, the information is used throughout the crop year to ensure the producer remains compliant with program provisions. If information is not reported, FSA has no basis to calculate APH, losses could not be determined, and information for crop insurance expansion could not be provided to RMA.

Description of Respondents: Individuals or households; Farms; State, local, or tribal government; Business or other for-profit; Not-for-profit institutions; State, local or tribal government.

Number of Respondents: 291,500.

Frequency of Responses: Reporting: Annually.

Total Burden Hours: 510,125.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 05-10838 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-05-P

DEPARTMENT OF AGRICULTURE

Submission for OMB Review; Comment Request

May 25, 2005.

The Department of Agriculture has submitted the following information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1995, Pub. L. 104-13. Comments regarding (a) whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of burden including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology should be addressed to: Desk Officer for Agriculture, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), *OIRA_Submission@OMB.EOP.GOV* or fax (202) 395-5806 and to Departmental Clearance Office, USDA, OCIO, Mail Stop 7602, Washington, DC 20250-7602. Comments regarding these information collections are best assured of having their full effect if received within 30 days of this notification. Copies of the submission(s) may be obtained by calling (202) 720-8681.

An agency may not conduct or sponsor a collection of information unless the collection of information displays a currently valid OMB control number and the agency informs potential persons who are to respond to the collection of information that such persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Agricultural Research Service

Title: Use of Facilities or the Performance of Photography/Cinematography at the U.S. National Arboretum.

OMB Control Number: 0518-0024.

Summary of Collection: The mission of the U.S. National Arboretum (USNA) is to conduct research, provide education, and conserve and display trees, shrubs, flowers, and other plants to enhance the environment. The USNA is a 446-acre public facility. The grounds of the USNA are available to the general

public for purposes of education and passive recreation. The USNA has many spectacular feature and garden displays which are very popular to visitors and photographers. Section 890(b) of the Federal Agriculture Improvement and Reform Act of 1996, Pub. L. 104-107 ("FAIR ACT") provided statutory authorities regarding the USNA. These authorities include the ability to charge fees for temporary use by individuals or groups of USNA facilities and grounds for any purpose consistent with the mission of USNA. Also, the authority was provided to charge fees for the use of the USNA for commercial photography and cinematography.

Need and Use of the Information: USNA officials using applications in the form of questionnaires will collect the information. USNA to determine if the requestor's needs can be met and the request is consistent with the mission and goals of the USNA uses of the information. If the basic information is not collected USNA officials will not be able to determine if the requestor's needs can be met.

Description of Respondents: Business or other for profit; Not-for-profit institutions; Individuals or households; Federal Government; State, local or tribal government.

Number of Respondents: 300.

Frequency of Responses: Reporting: On occasion.

Total Burden Hours: 65.

Ruth Brown,

Departmental Information Collection Clearance Officer.

[FR Doc. 05-10839 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-03-P

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 04-132-1]

Secretary's Advisory Committee on Foreign Animal and Poultry Diseases; Renewal

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of renewal.

SUMMARY: We are giving notice that the Secretary of Agriculture has renewed the Secretary's Advisory Committee on Foreign Animal and Poultry Diseases for a 2-year period. The Secretary has determined that the Committee is necessary and in the public interest.

FOR FURTHER INFORMATION CONTACT: Dr. Joe Anelli, Director of Emergency Management Outreach and Liaisons,

Emergency Management, VS, APHIS, 4700 River Road Unit 41, Riverdale, MD 20737-1231; (301) 734-8073.

SUPPLEMENTARY INFORMATION: The purpose of the Secretary's Advisory Committee on Foreign Animal and Poultry Diseases (the Committee) is to advise the Secretary of Agriculture regarding program operations and measures to suppress, control, or eradicate and outbreak of foot-and-mouth disease, or other destructive foreign animal or poultry diseases, in the event these diseases should enter the United States. The Committee also advises the Secretary of Agriculture of means to prevent these diseases.

Done in Washington, DC, this 25th day of May 2005.

Michael James Harrison,

Assistant Secretary for Administration.

[FR Doc. E5-2768 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-34-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. 05-022N]

Codex Alimentarius Commission: 28th Session of the Codex Alimentarius Commission

AGENCY: Office of the Under Secretary for Food Safety, USDA.

ACTION: Notice of public meeting and request for comments.

SUMMARY: The Office of the Under Secretary for Food Safety, U.S. Department of Agriculture (USDA) is sponsoring a public meeting on June 9, 2005. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States' positions that will be discussed at the 28th Session of the Codex Alimentarius Commission (CAC) to be held in Rome, Italy, July 4-9, 2005. The Under Secretary for Food Safety recognizes the importance of providing interested parties with the opportunity to obtain background information on the 28th Session of CAC and to address items on the agenda.

DATES: The public meeting is scheduled for Thursday, June 9, 2005, from 1 p.m. to 4 p.m.

ADDRESSES: The public meeting will be held in Room 107A, Whitten Building, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Washington, DC. The Codex documents pertaining to the agenda items for the 28th CAC Session, are accessible via the World Wide Web at the following

address: <http://www.codexalimentarius.net/current.asp>. To submit comments on this notice, please send them, to the FSIS Docket Clerk and reference Docket #05-022N. All comments submitted in response to this notice will be available for public inspection in the Docket Clerk's Office between 8:30 a.m. and 4:30 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT: F. Edward Scarbrough, Ph.D., U.S. Manager for Codex, U.S. Codex Office, FSIS, Room 4861, South Agriculture Building, 1400 Independence Avenue SW., Washington, DC 20250, Telephone (202) 205-7760; Fax: (202) 720-3157; Electronic mail: ed.scarbrough@fsis.usda.gov. Persons requiring a sign language interpreter or other special accommodations should notify Dr. Scarbrough at the above number.

SUPPLEMENTARY INFORMATION:

Background

Codex was established in 1962 by two United Nations organizations, the Food and Agriculture Organization (FAO) and the World Health Organization (WHO). Codex is the major international organization for encouraging fair international trade in food and protecting the health and economic interests of consumers. Through adoption of food standards, codes of practice, and other guidelines developed by its committees, and by promoting their adoption and implementation by governments, Codex seeks to ensure that the world's food supply is sound, wholesome, free from adulteration, and correctly labeled. In the United States, USDA, the Food and Drug Administration (FDA), and the Environmental Protection Agency (EPA) manage and carry out U.S. Codex activities.

Issues To Be Discussed at the Public Meeting

The Office of the Under Secretary for Food Safety, U.S. Department of Agriculture (USDA) is sponsoring a public meeting on June 9, 2005. The objective of the public meeting is to provide information and receive public comments on agenda items and draft United States' positions that will be discussed at the 28th Session of the Codex Alimentarius Commission (CAC) to be held in Rome, Italy, July 4-9, 2005. The Under Secretary for Food Safety recognizes the importance of providing interested parties with the opportunity to obtain background information on the 28th Session of CAC and to address items on the agenda. The following

items from the Draft Provisional Agenda for the 28th Session of the CAC will be discussed at the public meeting:

- (1) Procedural Matters
 - (A) Amendments to the Procedural Manual
 - (i) Amendments to the Rules of Procedure
 - (ii) Other amendments to the Procedural Manual
- (2) Codex Standards and Related Texts
 - (A) Draft Standards and Related Texts at Step 8 of the Procedure (including those submitted at Step 5 with a recommendation to omit Steps 6 and 7 and those submitted at Step 5 of the Accelerated Procedure)
 - (B) Proposed Draft Standards and Related Texts at Step 5
 - (C) Withdrawal or Revocation of existing Codex Standards and Related Texts
 - (D) Proposals for the Elaboration of new Standards and Related Texts and for the Discontinuation of Work
- (3) Program and Budgetary Matters
 - (A) Financial and Budgetary Matters—Proposed Budget 2006/2007
 - (B) Strategic Planning of the Codex Alimentarius Commission
 - (C) Proposed Schedule of Codex Meetings 2005-2007
- (4) Policy and General Matters
 - (A) Implementation of the Joint FAO/WHO Evaluation of the Codex Alimentarius and other FAO and WHO Work on Food Standards (including the Review of Codex Committee Structure and Mandates of Codex Committees and Task Forces)
 - (B) Matters arising from the Reports of Codex Committees and Task Forces
 - (C) Relations between the Codex Alimentarius Commission and other International Organizations
 - (D) FAO/WHO Project and Trust Fund for Enhanced Participation in Codex
 - (E) Other Matters arising from FAO and WHO
- (5) Elections and Appointments
 - (A) Appointment of Regional Coordinators
 - (B) Election of Chairperson and Vice-Chairpersons and Election of Members of the Executive Committee
 - (C) Designation of Countries responsible for Appointing the Chairpersons of Codex Committees and Task Forces

These issues and draft United States' positions on these issues will be described and discussed, and attendees will have the opportunity to pose questions and offer comments. Comments on the issues and draft positions should be mailed or sent electronically to the U.S. Codex Manager (see **FOR FURTHER INFORMATION CONTACT**). Please state that your comments relate to CAC activities and specify which issues your comments address.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and, in particular,

minorities, women, and persons with disabilities are aware of this notice, FSIS will announce it on-line through the FSIS web page located at http://www.fsis.usda.gov/regulations/2005_Notices_Index/.

FSIS also will make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and other types of information that could affect or would be of interest to our constituents and stakeholders. The update is communicated via Listserv, a free electronic mail subscription service for industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The update is available on the FSIS web page. Through Listserv and the web page, FSIS is able to provide information to a much broader, more diverse audience.

In addition, FSIS offers an electronic mail subscription service which provides an automatic and customized notification when popular pages are updated, including **Federal Register** publications and related documents. This service is available at http://www.fsis.usda.gov/news_and_events/email_subscription/ and allows FSIS customers to sign up for subscription options across eight categories. Options range from recalls to export information to regulations, directives, and notices.

Customers can add or delete subscriptions themselves and have the option to protect their accounts with passwords.

Done at Washington, DC, on May 26, 2005.

F. Edward Scarbrough,

U.S. Manager for Codex Alimentarius.

[FR Doc. 05-10876 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-DM-P

DEPARTMENT OF AGRICULTURE

Food Safety and Inspection Service

[Docket No. 05-017N]

Availability of Question and Answer Documents

AGENCY: Food Safety and Inspection Service.

ACTION: Notice of availability.

SUMMARY: The Food Safety and Inspection Service is announcing the availability of two question and answer (Q&A) documents concerning FSIS Directives 5000.2 ("Review of

Establishment Data by Inspection Program Personnel"), 6420.2 ("Verification of Procedures for controlling Fecal Material, Ingesta, and Milk in Slaughter Operations"), and 10,010.1, Revision 1 ("Microbiological Testing Program and Other Verification Activities for *Escherichia coli* O157:H7 in Raw Ground Beef Products and Raw Ground Beef Components and Beef Patty Components") (see **ADDRESSES**). The Agency is announcing the availability of these documents now because they contain information about *Escherichia coli* (*E. coli*) O157:H7, which is particularly relevant at this time because the United States is in the seasonal period when the prevalence of *E. coli* O157:H7 may be higher than during other times of the year.

ADDRESSES: The Q&A documents are available in Room 102, Cotton Annex, 300 12th Street, SW., Washington, DC 20250-3700, between 8:30 a.m. and 4:30 p.m., Monday through Friday. They are also available on the Internet at http://www.fsis.usda.gov/OPPDE/rdad/fsisdirectives/10010_1/Ecoli_QA.pdf and http://www.fsis.usda.gov/OPPDE/rdad/fsisdirectives/10010_1/Directives_Q&A.pdf.

FOR FURTHER INFORMATION CONTACT: Rachel Edelstein, Regulations and Petitions Policy Staff, Food Safety and Inspection Service, U.S. Department of Agriculture (202) 720-5627.

SUPPLEMENTARY INFORMATION:

Significance of *E. Coli* O157:H7 and FSIS' Actions To Address the Pathogen

Exposure to *E. coli* O157:H7 has been linked to serious, life-threatening human illnesses (hemorrhagic colitis and hemolytic uremic syndrome). In the United States, outbreaks of human illnesses caused by foodborne *E. coli* O157:H7 infection have often been linked to ground beef.

FSIS administers a regulatory program under the Federal Meat Inspection Act (FMIA) (21 U.S.C. 601 *et seq.*) to protect the health and welfare of consumers by preventing the distribution of meat products that are unwholesome, adulterated, or misbranded.

In 1994, FSIS notified the public that raw ground beef products contaminated with *E. coli* O157:H7 are adulterated within the meaning of the FMIA (21 U.S.C. 601(m)(1)), unless the ground beef is further processed to destroy this pathogen. On January 19, 1999, FSIS published a policy statement in the **Federal Register** that explained that, if non-intact beef products (e.g., beef that has been mechanically tenderized by needling or cubing) or intact cuts of muscle that are to be further processed

into non-intact product prior to distribution for consumption are found to be contaminated with *E. coli* O157:H7, they must be processed into ready-to-eat product, or they would be deemed to be adulterated (64 FR 2803).

In the October 7, 2002, **Federal Register**, FSIS informed the public that *E. coli* O157:H7 prevalence may be higher in April through September than during other times of the year, based on several studies and establishment testing data (67 FR 62332).

Availability of Qs&As

FSIS is making available two documents that include Qs&As concerning FSIS Directives 5000.2, 6420.2, and 10,010.1, Revision 1. The Qs&As address concerns that were raised by interested parties at public meetings conducted by FSIS in 2004. At those meetings, FSIS presented information on these directives to the public, particularly small and very small plants. The Qs&As regarding Directive 10,010.1, Revision 1, provide information on establishment verification testing for *E. coli* O157:H7, establishment controls for *E. coli* O157:H7, and establishment responsibilities in the event that the establishment finds raw beef product positive for the pathogen or positive in a screening test for the pathogen.

The information concerning *E. coli* O157:H7 is particularly relevant at this time because the United States is in the seasonal period when the prevalence of this pathogen may be higher than during other times of the year. Based on information from the Qs&As, establishments may decide to take actions to improve their *E. coli* O157:H7 verification testing programs or their controls to address the pathogen.

Additional Public Notification

Public awareness of all segments of rulemaking and policy development is important. Consequently, in an effort to ensure that the public and in particular minorities, women, and persons with disabilities, are aware of this notice, FSIS will announce it on-line through the FSIS web page located at http://www.fsis.usda.gov/regulations/2005_Notices_Index/index.asp.

FSIS also will make copies of this **Federal Register** publication available through the FSIS Constituent Update, which is used to provide information regarding FSIS policies, procedures, regulations, **Federal Register** notices, FSIS public meetings, recalls, and other types of information that could affect or would be of interest to our constituents and stakeholders. The update is communicated via Listserv, a free e-mail

subscription service consisting of industry, trade, and farm groups, consumer interest groups, allied health professionals, scientific professionals, and other individuals who have requested to be included. The update also is available on the FSIS web page. Through Listserv and the web page, FSIS is able to provide information to a much broader, more diverse audience.

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Done at Washington, DC, on May 25, 2005.

Barbara J. Masters,
Acting Administrator.

[FR Doc. 05-10790 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-DM-P

DEPARTMENT OF AGRICULTURE

Forest Service

Forest Counties Payments Committee Meeting

AGENCY: Forest Service, USDA.

ACTION: Notice.

SUMMARY: The Forest Counties Payments Committee has scheduled a business meeting to discuss how it will provide Congress with the information specified in Section 320 of the Fiscal Year 2001 Interior and Related Agencies Appropriations Act. The meeting is open to the public.

DATES: The meeting will be held on June 29, 2005, from 8 a.m. until 5 p.m. and June 30, 2005, from 8 a.m. until 12 p.m.

ADDRESSES: The meeting will be held in the Georgetown Conference Room, 2nd floor at the Brown Palace Hotel, 321 17th Street, Denver, CO 80202.

FOR FURTHER INFORMATION CONTACT: Randle G. Phillips, Executive Director, Forest Counties Payments Committee, at (202) 208-6574 or via e-mail at rphillips01@fs.fed.us.

SUPPLEMENTARY INFORMATION: Section 320 of the Interior and Related Agencies Appropriations Act of 2001 created the Forest Counties Payments Committee to make recommendations to Congress on

a long-term solution for making Federal payments to eligible States and counties in which Federal lands are situated. The Committee will consider the impact on eligible States and counties of revenues from the historic multiple use of Federal lands; evaluate the economic, environmental, and social benefits which accrue to counties containing Federal lands; evaluate the expenditures by counties on activities occurring on Federal lands, which are Federal responsibilities; and monitor payments and implementation of The Secure Rural Schools and Community Self-Determination Act of 2000 (Pub. L. 106-393).

Dated: May 25, 2005.

Timothy Decoster,
Director, Legislative Affairs.

[FR Doc. 05-10824 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-11-P

DEPARTMENT OF AGRICULTURE

Forest Service

Tehama County Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Tehama County Resource Advisory Committee (RAC) will meet in Red Bluff, California. Agenda items to be covered include: (1) Introductions, (2) Approval of minutes, (3) Public Comment, (4) Project Proposals/Possible Action, (6) Vegetation Opportunities on the Lassen, (7) General Discussion, (8) County Update, (9) Next Agenda.

DATES: The meeting will be held on June 9, 2005 from 9 a.m. and end at approximately 12 p.m.

ADDRESSES: The meeting will be held at the Lincoln Street School, Conference Room A, 1135 Lincoln Street, Red Bluff, CA. Individuals wishing to speak or propose agenda items must send their names and proposals to Jim Giachino, DFO, 825 N. Humboldt Ave., Willows, CA 95988.

FOR FURTHER INFORMATION CONTACT:

Bobbin Gaddini, Committee Coordinator, USDA, Mendocino National Forest, Grindstone Ranger District, P.O. Box 164, Elk Creek, CA 95939. 530-968-5329; e-mail ggaddini@fs.fed.us.

SUPPLEMENTARY INFORMATION: The meeting is open to the public. Committee discussion is limited to Forest Service staff and Committee members. However, persons who wish to bring matters to the attention of the Committee may file written statements

with the Committee staff before or after the meeting. Public input sessions will be provided and individuals who made written requests by June 6, 2005 will have the opportunity to address the committee at those sessions.

Dated: May 23, 2005.

James F. Giachino,
Designated Federal Official.

[FR Doc. 05-10789 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[05-02-A]

Opportunity for Designation in the Alabama, Essex (IL), Springfield (IL), and Washington Areas, and Request for Comments on the Official Agencies Serving These Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Notice.

SUMMARY: The designations of the official agencies listed below will end in December 2005. Grain Inspection, Packers and Stockyards Administration (GIPSA) is asking persons interested in providing official services in the areas served by these agencies to submit an application for designation. GIPSA is also asking for comments on the quality of services provided by these currently designated agencies: Alabama Department of Agriculture and Industries (Alabama); Kankakee Grain Inspection, Inc. (Kankakee); Springfield Grain Inspection, Inc. (Springfield); and Washington Department of Agriculture (Washington).

DATES: Applications and comments must be postmarked or electronically dated on or before July 1, 2005.

ADDRESSES: We invite you to submit applications and comments on this notice. You may submit applications and comments by any of the following methods:

- Hand Delivery or Courier: Deliver to Janet M. Hart, Chief, Review Branch, Compliance Division, GIPSA, USDA, Room 1647-S, 1400 Independence Avenue, SW., Washington, DC 20250.

- Fax: Send by facsimile transmission to (202) 690-2755, attention: Janet M. Hart.

- E-mail: Send via electronic mail to Janet.M.Hart@usda.gov.

- Mail: Send hardcopy to Janet M. Hart, Chief, Review Branch, Compliance Division, GIPSA, USDA, STOP 3604,

1400 Independence Avenue, SW., Washington, DC 20250-3604.

Read Applications and Comments: All applications and comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202-720-8525, e-mail Janet.M.Hart@usda.gov.

SUPPLEMENTARY INFORMATION: This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this Action.

Section 7(f)(1) of the United States Grain Standards Act, as amended (Act), authorizes GIPSA's Administrator to designate a qualified applicant to provide official services in a specified area after determining that the applicant is better able than any other applicant to provide such official services.

Section 7(g)(1) of the Act provides that designations of official agencies shall terminate not later than triennially and may be renewed according to the criteria and procedures prescribed in Section 7(f) of the Act.

1. *Current Designations being Announced for Renewal.* For Alabama, main office in Montgomery, Alabama; Kankakee, main office in Essex, Illinois; Springfield, main office in Springfield, Illinois; and Washington, main office in Olympia, Washington; the current designations started January 1, 2003 and will end December 31, 2005.

a. Pursuant to Section 7(f)(2) of the Act, the following geographic area, the entire State of Alabama, except those export port locations within the State, is assigned to Alabama.

b. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the State of Illinois, is assigned to Kankakee.

Bounded on the North by the northern Bureau County line; the northern LaSalle and Grundy County lines; the northern Will County line east-southeast to Interstate 57;

Bounded on the East by Interstate 57 south to U.S. Route 52; U.S. Route 52 south to the Kankakee County line;

Bounded on the South by the southern Kankakee and Grundy County lines; the southern LaSalle County line west to State Route 17; State Route 17 west to U.S. Route 51; U.S. Route 51 north to State Route 18; State Route 18 west to State Route 26; State Route 26 south to State Route 116; State Route 116 south to Interstate 74; Interstate 74 west to the western Peoria County line; and

Bounded on the West by the western Peoria and Stark County lines; the northern Stark County line east to State Route 40; State Route 40 north to the Bureau County line.

c. Pursuant to Section 7(f)(2) of the Act, the following geographic area, in the State of Illinois, is assigned to Springfield.

Bounded on the North by the northern Schuyler, Cass, and Menard County lines; the western Logan County line north to State Route 10; State Route 10 east to the west side of Beason;

Bounded on the East by a straight line from the west side of Beason southwest to Elkhart on Interstate 55; a straight line from Elkhart southeast to Stonington on State Route 48; a straight line from Stonington southwest to Irving on State Route 16;

Bounded on the South by State Route 16 west to the eastern Macoupin County line; the eastern, southern, and western Macoupin County lines; the southern and western Greene County lines; the southern Pike County line; and

Bounded on the West by the western Pike County line west to U.S. route 54; U.S. Route 54 northeast to State Route 107; State Route 107 northeast to State Route 104; State Route 104 east to the western Morgan County line. The western Morgan, Cass, and Schuyler County lines.

The following grain elevator, located outside of the above contiguous geographic area, is part of this geographic area assignment: East Lincoln Farmers Grain Co., Lincoln, Logan County (located inside Central Illinois Grain Inspection, Inc.'s, area).

d. Pursuant to Section 7(f)(2) of the Act, the following geographic area, the entire State of Washington, except those export port locations within the State, is assigned to Washington.

2. *Opportunity for designation.* Interested persons, including Alabama, Kankakee, Springfield, and Washington are hereby given the opportunity to apply for designation to provide official services in the geographic areas specified above under the provisions of Section 7(f) of the Act and section 800.196(d) of the regulations issued thereunder. Designation in the specified geographic areas is for the period beginning January 1, 2006 and ending December 31, 2008. Persons wishing to apply for designation should contact the Compliance Division at the address listed above for forms and information, or obtain applications at the GIPSA Web site, <http://www.usda.gov/gipsa/oversight/parovreg.htm>.

3. *Request for Comments.* GIPSA also is publishing this notice to provide interested persons the opportunity to

present comments on the quality of services for the Alabama, Kankakee, Springfield, and Washington official agencies. In commenting on the quality of services, commenters are encouraged to submit pertinent data including information on the timeliness, cost, and scope of services provided. All comments must be submitted to the Compliance Division at the above address.

Applications, comments, and other available information will be considered in determining which applicant will be designated.

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

David R. Shipman,

Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 05-10738 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-EN-P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[04-04-S]

Designation for Georgia, Cedar Rapids (IA), Montana, and Lake Village (IN) Areas

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Notice.

SUMMARY: Grain Inspection, Packers and Stockyards Administration (GIPSA) announces designation of the following organizations to provide official services under the United States Grain Standards Act, as amended (Act): Georgia Department of Agriculture (Georgia); Mid-Iowa Grain Inspection, Inc. (Mid-Iowa); Montana Department of Agriculture (Montana); and Schneider Inspection Service, Inc. (Schneider).

DATES: *Effective Date:* July 1, 2005.

ADDRESSES: USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW., Washington, DC 20250-3604.

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202-720-8525, e-mail Janet.M.Hart@usda.gov.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the December 1, 2004 **Federal Register** (69 FR 69884), GIPSA asked

persons interested in providing official services in the geographic areas assigned to the official agencies named above to submit an application for designation. Applications were due by January 3, 2005.

Georgia, Mid-Iowa, Montana, and Schneider were the sole applicants for designation to provide official services in the entire area currently assigned to

them, so GIPSA did not ask for additional comments on them.

GIPSA evaluated all available information regarding the designation criteria in Section 7(f)(1)(A) of the Act and, according to Section 7(f)(1)(B), determined that Georgia, Mid-Iowa, Montana, and Schneider are able to provide official services in the geographic areas specified in the December 1, 2004, **Federal Register**, for

which they applied. These designation actions to provide official inspection services are effective July 1, 2005, and terminate June 30, 2008, for Georgia, Mid-Iowa, and Montana. Schneider is designated for 12 months only, effective July 1, 2005, and terminating June 30, 2006, to allow GIPSA to further evaluate their program. Interested persons may obtain official services by calling the telephone numbers listed below.

| Official agency | Headquarters location and telephone | Designation start-end |
|-----------------|--|-----------------------|
| Georgia | Atlanta, GA; 229-386-3130 | 7/1/2005-6/30/2008 |
| | Additional location: Tifton, GA | |
| Mid-Iowa | Cedar Rapids, IA; 319-363-0239 | 7/1/2005-6/30/2008 |
| | Additional location: Clayton, IA | |
| Montana | Helena, MT; 406-444-3144 | 7/1/2005-6/30/2008 |
| | Additional location: Great Falls, MT | |
| Schneider | Lake Village, IN; 219-992-2306 | 7/1/2005-6/30/2006 |

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

David R. Shipman,

Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 05-10739 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-EN-P

DEPARTMENT OF AGRICULTURE

Grain Inspection, Packers and Stockyards Administration

[05-01-C]

Opportunity To Comment on the Applicants for the Wisconsin Area

AGENCY: Grain Inspection, Packers and Stockyards Administration, USDA.

ACTION: Notice.

SUMMARY: GIPSA requests comments on the applicants for designation to provide official services in the geographic area currently assigned to the Wisconsin Department of Agriculture, Trade and Consumer Protection (Wisconsin).

DATES: Comments must be postmarked or electronically dated on or before July 1, 2005.

ADDRESSES: We invite you to submit comments on this notice by any of the following methods:

- *Hand Delivery or Courier:* Deliver to Janet M. Hart, Chief, Review Branch, Compliance Division, GIPSA, USDA, Room 1647-S, 1400 Independence Avenue, SW., Washington, DC 20250.
- *Fax:* Send by facsimile transmission to (202) 690-2755, attention: Janet M. Hart.
- *E-mail:* Send via electronic mail to Janet.M.Hart@usda.gov.

• *Mail:* Send hardcopy to Janet M. Hart, Chief, Review Branch, Compliance Division, GIPSA, USDA, STOP 3604, 1400 Independence Avenue, SW., Washington, DC 20250-3604.

Read Comments: All comments will be available for public inspection at the office above during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Janet M. Hart at 202-720-8525, e-mail Janet.M.Hart@usda.gov.

SUPPLEMENTARY INFORMATION: This Action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the March 1, 2005, **Federal Register** (70 FR 9911), GIPSA asked persons interested in providing official services in the Wisconsin areas to submit an application for designation.

There were two applicants for the Wisconsin area: Wisconsin and Eastern Iowa Grain Inspection and Weighing Service, Inc. (Eastern Iowa), a currently designated official agency. Wisconsin applied for designation to provide official services in the entire area currently assigned to them. Eastern Iowa applied for all or part of Wisconsin. GIPSA is publishing this notice to provide interested persons the opportunity to present comments concerning the applicants. Commenters are encouraged to submit reasons and pertinent data for support or objection to the designation of the applicants. All comments must be submitted to the Compliance Division at the above address. Comments and other available information will be considered in

making a final decision. GIPSA will publish notice of the final decision in the **Federal Register**, and GIPSA will send the applicants written notification of the decision.

Authority: Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

David. R Shipman,

Acting Administrator, Grain Inspection, Packers and Stockyards Administration.

[FR Doc. 05-10740 Filed 5-31-05; 8:45 am]

BILLING CODE 3410-EN-P

DEPARTMENT OF COMMERCE

Submission for OMB Review: Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance of the following proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995, Public Law 104-13.

Bureau: International Trade Administration.

Title: Product Characteristics—Design Check-Off List.

Agency Form Number: ITA-426P.

OMB Number: 0625-0035.

Type of Request: Regular Submission.

Burden: 1,000 hours.

Number of Respondents: 2,000.

Avg. Hours Per Response: 30 minutes.

Needs and Uses: The International Trade Administration (ITA) sponsors up to 120 overseas trade fairs each fiscal year. Trade fairs involve U.S. firms exhibiting their goods and services at American pavilions at internationally recognized events worldwide.

The Product Characteristics-Design Check-Off List seeks from participating firms information on the physical

nature, power (utility) and graphic requirements of the products and services to be displayed, and to ensure the availability of utilities for active product demonstrations. This form also allows U.S. firms to identify special installation instructions that can be critical to the proper placement and hookup of their equipment and/or graphics. Without the timely and accurate submission of Form ITA-426P, Product Characteristics-Design Check-Off List, ITA would be unable to provide a pavilion facility that would effectively support the sales/marketing and presentation objectives of U.S. participants. The anticipated result would be diminished program productivity, then declining participation by U.S. firms. A second possible result would be reduced private sector funds and possibly the discontinuation of this type of U.S. international trade event program.

Affected Public: Business or other for profit, not-for-profit institutions.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain a benefit, voluntary.

OMB Desk Officer: David Rostker, (202) 395-7340.

Copies of the above information collection can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6612, 14th & Constitution Avenue, NW., Washington, DC 20230. E-mail: dHynek@doc.gov.

Written comments and recommendations for the proposed information collection should be sent to David Rostker, OMB Desk Officer, e-mail: David_Rostker@omb.eop.gov or fax (202) 395-7285, within 30 days of the publication of this notice in the **Federal Register**.

Dated: May 26, 2005.

Madeleine Clayton,

*Departmental Paperwork Clearance Officer,
Office of the Chief Information Officer.*

[FR Doc. 05-10886 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-FP-P

DEPARTMENT OF COMMERCE

Submission for OMB Review: Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance of the following proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995, Public Law 104-13.

Bureau: International Trade Administration.

Title: Certified Trade Mission:
Application for Status.

Agency Form Number: ITA-4127P.

OMB Number: 0625-0215.

Type of Request: Regular Submission.

Burden: 60 hours.

Number of Respondents: 60.

Avg. Hours Per Response: 1 hour.

Needs and Uses: Certified Trade Missions are overseas events that are planned, organized and led by both Federal and non-Federal government export promotion agencies such as industry trade associations, agencies of state and local governments, chambers of commerce, regional groups and other export-oriented groups. The Certified Trade Mission-Application for Status form is the vehicle by which individual firms apply, and if accepted, agree to participate in the Department of Commerce's (DOC) trade promotion events program, identify the products or services they intend to sell or promote, and record their required participation fees. This submission only renews use of the form; no changes are being made. The form is used to (1) collect information about the products/services that a company wishes to export; (2) evaluate applicants' mission goals and the marketability of product categories/industry in the local market, and (3) to develop meeting schedules appropriate to these.

Affected Public: Business or other for profit, not-for-profit institutions.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain a benefit, voluntary.

OMB Desk Officer: David Rostker, (202) 395-7340.

Copies of the above information collection can be obtained by writing Diana Hynek, Departmental Paperwork Clearance Officer, Office of the Chief Information Officer, Department of Commerce, Room 6612, 14th & Constitution Avenue, NW., Washington, DC 20230. E-mail: dHynek@doc.gov.

Written comments and recommendations for the proposed information collection should be sent to David Rostker, OMB Desk Officer via e-mail: David_Rostker@omb.eop.gov or fax (202) 395-7285, within 30 days of the publication of this notice in the **Federal Register**.

Dated: May 26, 2005.

Madeleine Clayton,

*Departmental Paperwork Clearance Officer,
Office of the Chief Information Officer.*

[FR Doc. 05-10890 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-FP-P

DEPARTMENT OF COMMERCE

Submission for OMB Review; Comment Request

The Department of Commerce (DOC) has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

Agency: Bureau of Economic Analysis (BEA), Commerce.

Title: Institutional Remittances to Foreign Countries.

Form Number(s): BE-40.

Agency Approval Number: 0608-0002.

Type of Request: Reinstatement, with change, of a previously approved collection for which approval has expired.

Burden: 2,100 hours.

Number of Respondents: 790.

Average Hours Per Response: 1.5 hours.

Needs and Uses: The Bureau of Economic Analysis (BEA) is responsible for the compilation of the U. S. international transactions accounts (ITA's). The ITA's provide a statistical summary of all U.S. international transactions and, as such, are one of the major statistical products of BEA. These accounts are used extensively by both government and private organizations for national and international economic policy formulation and for analytical purposes. The information collected in this survey is used to develop the "private remittances" portion of the ITA's. Without this information, an integral component of the ITA's would be omitted. In addition, the information from this survey is used by international organizations, such as the International Monetary Fund; various private organizations; and other government agencies, such as the Treasury Department and the U.S. Agency for International Development, to, among other things, analyze economic trends and support economic growth and prosperity.

Affected Public: Not-for-profit institutions.

Frequency: Quarterly and annually.

Respondents Obligation: Voluntary.

Legal Authority: Bretton Woods Agreement Act, Section 8, and E.O. 10033, as amended.

OMB Desk Officer: Paul Bugg, (202) 395-3093.

You may obtain copies of the above information collection proposal by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room

6025, 14th and Constitution Avenue, NW., Washington, DC 20230, or via the Internet at dHynek@doc.gov.

Send comments on the proposed information collection within 30 days of publication of this notice to Office of Management and Budget, O.I.R.A., Paperwork Reduction Project 0608-0002, Attention PRA Desk Officer for BEA, via the Internet at pbugg@omb.eop.gov, or by FAX at 202-395-7245.

Dated: May 26, 2005.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 05-10891 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-EA-P

DEPARTMENT OF COMMERCE

Submission for OMB Review: Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance of the following proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995, Public Law 104-13.

Bureau: International Trade Administration.

Title: Trade Fair Certification Program: Application.

Agency Form Number: ITA-4100P.

OMB Number: 0625-0130.

Type of Request: Regular Submission.

Burden: 900 hours.

Number of Respondents: 90.

Avg. Hours Per Response: 10 hours.

Needs and Uses: Private trade show organizers, trade associations, U.S. agents of foreign fair authorities, and other entities use this form to apply for certification of their ability to organize and manage a U.S. pavilion at a foreign trade show. The Department of Commerce uses information from the form to evaluate if both the show and the organizer meet the Department's high standards in areas such as recruiting, delivering show services, attracting small and medium size firms, booth pricing, and being and appropriate marketing venue for U.S. firms. The form asks organizers to respond to 23 questions ranging from simple name and address to pricing options to outlining their experience and marketing plans. Potential exhibitors look to trade fair certification to ensure they are participating in a viable show with a reliable organizer.

The form also includes information on where to apply, procedures, and commitment by the applicant to abide by the terms set forth for program participation.

Affected Public: Business or other for profit, not-for-profit institutions.

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain a benefit, voluntary.

OMB Desk Officer: David Rostker, (202) 395-7340.

Copies of the above information collection can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6612, 14th & Constitution Avenue, NW., Washington, DC 20230. E-mail: dHynek@doc.gov.

Written comments and recommendations for the proposed information collection should be sent to David Rostker, OMB Desk Officer, e-mail: David_Rostker@omb.eop.gov or fax (202) 395-7285, within 30 days of the publication of this notice in the **Federal Register**.

Dated: May 26, 2005.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 05-10892 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-FP-P

DEPARTMENT OF COMMERCE

Submission for OMB Review: Comment Request

DOC has submitted to the Office of Management and Budget (OMB) for clearance of the following proposal for collection of information under the provisions of the Paperwork Reduction Act of 1995, Pub. L. 104-13.

Bureau: International Trade Administration.

Title: Marketing Data Form.

Agency Form Number: ITA-466P.

OMB Number: 0625-0047.

Type of Request: Regular Submission.

Burden: 3,000 hours.

Number of Respondents: 4,000.

Avg. Hours Per Response: 45 minutes.

Needs and Uses: There is a need to have proper information about companies participating in U.S. exhibitions, trade missions and Matchmaker Trade Delegations and their products in order to publicize and promote participation in these trade promotion events. The Marketing Data

Form (MDF) provides information necessary to produce export promotion brochures and directories, to arrange appointments and to prospect calls on behalf of the participants with key prospective buyers, agents, distributors or government officials. Specific information is also requested relating to the participants' objectives regarding agents, distributors, joint venture or licensing partners, and any special requirements for prospective agents, for example, physical facilities, technical capabilities, financial strength, staff, representation of complementary lines, etc.

Affected Public: Business or other for profit, not-for-profit institutions

Frequency: On occasion.

Respondent's Obligation: Required to obtain or retain a benefit, voluntary.

OMB Desk Officer: David Rostker, (202) 395-7340.

Copies of the above information collection can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6612, 14th & Constitution Avenue, NW., Washington, DC 20230, or via the Internet at dHynek@doc.gov.

Written comments and recommendations for the proposed information collection should be sent to David Rostker, OMB Desk Officer, David_Rostker@omb.eop.gov or fax (202) 395-7285, within 30 days of the publication of this notice in the **Federal Register**.

Dated: May 26, 2005.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. 05-10893 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-FP-P

DEPARTMENT OF COMMERCE

Economic Development Administration

Notice of Petitions by Producing Firms for Determination of Eligibility To Apply for Trade Adjustment Assistance

AGENCY: Economic Development Administration (EDA), DOC.

ACTION: To give all interested parties an opportunity to comment.

Petitions have been accepted for filing on the dates indicated from the firms listed below.

LIST OF PETITION ACTION BY TRADE ADJUSTMENT ASSISTANCE FOR PERIOD APRIL 28, 2005–MAY 20, 2005

| Firm name | Address | Date petition accepted | Product |
|---|---|------------------------|---|
| ILX Lightwave Corporation | 31950 East Frontage Road, Bozeman, MT 59771. | 28–Apr–05 | Optical instruments. |
| Truitt Brothers, Inc | 1105 Front Street, N.E., Salem, OR 97308. | 02–May–05 | Pears. |
| Artifacts, Inc | 3120 West Oak Street, Palestine, TX 75801. | 03–May–05 | Hats. |
| Hunter Brothers, Inc | 1290 University Avenue, Rochester, NY 14610. | 04–May–05 | Heat treated, high speed steel machine knives. |
| Carballo Contract Machining | 4540 West 34th Street, Houston, TX 77092. | 05–May–05 | Valve bodies. |
| Deltron, Inc | 290 Wissahickon Avenue, North Wales, PA 19454. | 05–May–05 | Linear and switching power supplies. |
| Process Integrity, Inc | 5840 West Interstate 20, Arlington, TX 76017. | 05–May–05 | Execution system software. |
| Estul Tool & Manufacturing, Inc | 10737 Independence Point Pkwy., Matthews, NC 28105. | 12–May–05 | Parts of automatic door closers, electric lamps and light fittings, and machinery parts not containing electrical features. |
| River Valley Contract Manufacturing, Inc | 177 North Park Street, Menifee, AR 72107. | 12–May–05 | Harness, jumper and lead wiring sets. |
| Third Street Sportswear Manufacturing, Inc. | 1106 South 3rd Street, Ozark, MO 65721. | 12–May–05 | Infant and children's sportswear. |

The petitions were submitted pursuant to Section 251 of the Trade Act of 1974 (19 U.S.C. 2341). Consequently, the United States Department of Commerce has initiated separate investigations to determine whether increased imports into the United States of articles like or directly competitive with those produced by each firm contributed importantly to total or partial separation of the firm's workers, or threat thereof, and to a decrease in sales or production of each petitioning firm. Any party having a substantial interest in the proceedings may request a public hearing on the matter. A request for a hearing must be received by Trade Adjustment Assistance, Room 7812, Economic Development Administration, U.S. Department of Commerce, Washington, DC 20230, no later than the close of business of the tenth calendar day following the publication of this notice. The Catalog of Federal Domestic Assistance official program number and title of the program under which these petitions are submitted is 11.313, Trade Adjustment Assistance.

Dated: May 24, 2005.

Anthony J. Meyer,

Senior Program Analyst, Office of Strategic Initiatives.

[FR Doc. 05–10862 Filed 5–31–05; 8:45 am]

BILLING CODE 3510–24–P

DEPARTMENT OF COMMERCE

Foreign–Trade Zones Board

(Docket 25–2005)

Foreign–Trade Zone 18, San Jose, California, Application for Subzone, Space Systems/Loral, Inc. (Satellites), Palo Alto, Menlo Park and Mountain View, California

An application has been submitted to the Foreign–Trade Zones Board (the Board) by the City of San Jose, grantee of FTZ 18, requesting special-purpose subzone status for the manufacturing facilities of Space Systems/Loral, Inc. (SS/L), located in Palo Alto, Menlo Park and Mountain View, California. The application was submitted pursuant to the provisions of the Foreign–Trade Zones Act, as amended (19 U.S.C. 81a–81u), and the regulations of the Board (15 CFR part 400). It was formally filed on May 24, 2005.

The SS/L facilities (1,300 employees) consist of five sites on 37 acres: *Site 1* (28.4 acres) is located at 3825, 3850 and 3875 Fabian Way, Palo Alto; *Site 2* (1 acre) is located at 3977 and 3963 Fabian Way, Palo Alto; *Site 3* (5 acres) is located at 1034–1036 and 1025 E. Meadow Circle, Palo Alto; *Site 4* (110,000 square feet) is located at 1205 and 1145 Hamilton Court, Menlo Park; and *Site 5* (2.5 acres) is located at 2288 Charleston Road, Mountain View. The facilities are used for the manufacture of satellites and satellite systems (HTS 8802.60 and 8525.10 duty-free). Components and materials sourced from abroad (representing 15% of all parts

used in the manufacturing process) include: coated wire, articles of aluminum, handtools, digital ADP machines, digital systems, computer parts, lithium ion battery cells, parts of storage batteries, switching apparatus, modems, magnetic tape, magnetic discs, computer discs, transmission apparatus, transmission with reception apparatus, radar apparatus, radio navigational apparatus, reception apparatus, antennas, apparatus parts, capacitors, resistors, printed circuits, electrical apparatus, switches, electrical panels, diodes, transistors, thyristors, photosensitive devices, semiconductor devices, integrated circuits, hybrid integrated circuits, signal generators, containers, parts of spacecraft, space navigation instruments, oscilloscopes, multimeters, voltage checking instruments, parts of test equipment and thermocouples (duty rate ranges from duty-free to 6.1%).

FTZ procedures would exempt SS/L from customs duty payments on the foreign components used in export production. Some 13 percent of the plant's shipments are sold to export markets; however, satellites launched from domestic sites are considered exported and a total of 96% of SS/L's zone savings would come from exports. The request indicates that the savings from FTZ procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ staff has been appointed examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at one of the following addresses:

1. Submissions Via Express/Package Delivery Services: Foreign-Trade-Zones Board, U.S. Department of Commerce, Franklin Court Building - Suite 4100W, 1099 14th St. NW, Washington, D.C. 20005; or
2. Submissions Via the U.S. Postal Service: Foreign-Trade-Zones Board, U.S. Department of Commerce, FCB - Suite 4100W, 1401 Constitution Ave. NW, Washington, D.C. 20230.

The closing period for their receipt is August 1, 2005. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period to August 15, 2005.

A copy of the application and accompanying exhibits will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at the first address listed above, and at the U.S. Department of Commerce Export Assistance Center, 2152 N. Third Street, Suite 550, San Jose, California 95112.

Dated: May 24, 2005.

Dennis Puccinelli,

Executive Secretary.

[FR Doc. 05-10887 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

User Satisfaction Surveys

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burdens, invites the general public and other Federal agencies to take this opportunity to comment on the continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before August 1, 2005.

ADDRESSES: Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230. E-mail: dHynek@doc.gov.

FOR FURTHER INFORMATION CONTACT:

Request for additional information or copies of the information collection instrument and instructions should be directed to:

Tish Falco, U.S. & Foreign Commercial Service, Customer Relationship Management Unit, Room 1107, 14th and Constitution Avenue, NW., Washington, DC 20230. Phone: (202) 482-3388.

Erin Schumacher, International Trade Administration, SABIT Program, FCB, 4100W, 14th and Constitution Ave., NW., Washington, DC. Phone: (202) 482-3644.

Barb Rawdon, Manufacturing and Services, Rm. 3215, International Trade Administration, 1401 Constitution Avenue, NW., Washington, DC 20230. Phone: (202) 482-0474.

Rand Ruggieri, OCIO, Rm. 1848, International Trade Administration, 14th and Constitution Ave., NW., Washington, DC 20230. Phone: (202) 482-9104.

SUPPLEMENTARY INFORMATION:

I. Abstract

ITA provides numerous export promotion programs to help U.S. businesses. These programs include information products, services, and trade events. To accomplish its mission effectively, ITA needs ongoing feedback on its programs. These information collection items allow ITA to solicit client's opinions about the use of ITA products, services, and trade events. The information is used for program improvement, strategic planning, allocation of resources, and performance measures.

The surveys are part of ITA's effort to implement objectives of the National Performance Review (NPR) and Government Performance and Results Act (GPRA). Responses to the surveys will meet the needs of ITA performance measures based on NPR and GPRA guidelines. These performance measures will serve as a basis for justifying and allocating human and financial resources.

Survey responses will acquaint ITA managers with firm's perceptions and assessments of export-assistance products and services. Also, the surveys will enable ITA to track the performance of overseas posts. This information is critical for improving the programs.

Survey responses are used to assess client satisfaction, determine priorities, and identify areas where service levels and benefits differ from client expectations. Clients benefit because the

information is used to improve services provided to the public. Without this information, ITA is unable to systematically determine client perceptions about the quality and benefit of its export-promotion programs.

II. Method of Data Collection

ITA faxes, mails, e-mails, web-enabled or telephones surveys to clients.

III. Data:

OMB Number: 0625-0217.

Form Number: ITA-4108P-A1, ITA-4110P, etc.

Type of Review: Revision-regular submission.

Affected Public: ITA clients that purchased products and services.

Estimated Number of Respondents: 13,257.

Estimated Time Per Response: Range from 5-60 minutes.

Estimated Total Annual Burden Hours: 3,839.5.

Estimated Total Annual Costs: The estimated annual cost for this collection is \$140,026.40 (\$72,755 for respondents and \$61,021.40 for the federal government).

IV. Request for Comments

Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and costs) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: May 26, 2005.

Madeleine Clayton,

Management Analyst, Office of the Chief Information Officer.

[FR Doc. E5-2775 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-FP-P

DEPARTMENT OF COMMERCE**International Trade Administration****Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review**

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Opportunity to Request Administrative Review of Antidumping or Countervailing Duty

Order, Finding, or Suspended Investigation.

SUPPLEMENTARY INFORMATION:**Background**

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended (the Act), may request, in accordance with section 351.213(2002) of the Department of

Commerce (the Department) Regulations, that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation.

Opportunity to Request a Review:

Not later than the last day of June 2005,¹ interested parties may request administrative review of the following orders, findings, or suspended investigations, with anniversary dates in June for the following periods:

| Antidumping Duty Proceedings | Period |
|--|--------------------|
| BELGIUM: Sugar. A-423-077 | 6/1/04 - 5/31/05 |
| FRANCE: Sugar. A-427-078 | 6/1/04 - 5/31/05 |
| GERMANY: Sugar. A-428-082 | 6/1/04 - 5/31/05 |
| JAPAN: Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Over 4 1/2 Inches). A-588-850 | 6/1/04 - 5/31/05 |
| JAPAN: Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Under 4 1/2 Inches). A-588-851C≤ | 6/1/04 - 5/31/05 |
| JAPAN: Structural Steel Beams. A-588-852 | 6/1/04 - 5/31/05 |
| JAPAN: Certain Hot-Rolled Carbon Steel Flat Products. A-588-846 | 6/1/04 - 5/31/05 |
| JAPAN: Forklift Trucks. A-588-703 | 6/1/04 - 5/31/05 |
| JAPAN: Grain-Oriented Electrical Steel. A-588-831 | 6/1/04 - 5/31/05 |
| REPUBLIC OF KOREA: Polyethylene Terephthalate (Pet) Film. A-580-807 | 6/1/04 - 5/31/05 |
| RUSSIA: Ammonium Nitrate. A-821-811 | 6/1/04 - 5/31/05 |
| SOUTH AFRICA: Carbon and Alloy Seamless Standard, Line, and Pressure Pipe (Under 4 1/2 Inches). A-791-808 | 6/1/04 - 5/31/05 |
| TAIWAN: Carbon Steel Plate. A-583-080 | 6/1/04 - 5/31/05 |
| TAIWAN: Stainless Steel Butt-Weld Pipe Fittings. A-583-816 | 6/1/04 - 5/31/05 |
| TAIWAN: Certain Helical Spring Lock Washers. A-583-820 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Apple Juice Concentrate, Non-Frozen. A-570-855 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Color Television Receivers. A-570-884 | 11/28/03 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Folding Metal Tables & Chairs. A-570-868 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Furfuryl Alcohol. A-570-856 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Indigo. A-570-856 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Lawn and Garden Steel Fence Posts. A-570-877 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Silicon Metal. A-570-806 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Sparklers. A-570-804 | 6/1/04 - 5/31/05 |
| THE PEOPLE'S REPUBLIC OF CHINA: Tapered Roller Bearings. A-570-601 | 6/1/04 - 5/31/05 |
| Countervailing Duty Proceedings. CANADA: Softwood Lumber ² . C-122-839 | 4/1/04 - 3/31/05 |
| ITALY: Grain-Oriented Electrical Steel. C-475-812 | 1/1/04 - 12/31/04 |

¹ Or the next business day, if the deadline falls on a weekend, federal holiday, or any other day when the Department is closed.

| Antidumping Duty Proceedings | Period |
|----------------------------------|--------|
| Suspension Agreements. None.. | |

In the notice of opportunity to request administrative review that published on May 2, 2005 (70 FR 22631), we listed the period of review for Softwood Lumber from Canada (C-122-839) incorrectly. The correct period of review is listed above.

In accordance with section 351.213 (b) of the regulations, an interested party as defined by section 771(9) of the Act may request in writing that the Secretary conduct an administrative review. For both antidumping and countervailing duty reviews, the interested party must specify for which individual producers or exporters covered by an antidumping finding or an antidumping or countervailing duty order or suspension agreement it is requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or exporters. If the interested party intends for the Secretary to review sales of merchandise by an exporter (or a producer if that producer also exports merchandise from other suppliers) which were produced in more than one country of origin and each country of origin is subject to a separate order, then the interested party must state specifically, on an order-by-order basis, which exporter(s) the request is intended to cover.

As explained in Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties, 69 FR 23954 (May 6, 2003), the Department has clarified its practice with respect to the collection of final antidumping duties on imports of merchandise where intermediate firms are involved. The public should be aware of this clarification in determining whether to request an administrative review of merchandise subject to antidumping findings and orders. See also the Import Administration web site at <http://ia.ita.doc.gov>.

Six copies of the request should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room 1870, U.S. Department of Commerce, 14th Street & Constitution Avenue, N.W., Washington, D.C. 20230. The Department also asks parties to serve a copy of their requests to the Office of

Antidumping/Countervailing Operations, Attention: Sheila Forbes, in room 3065 of the main Commerce Building. Further, in accordance with section 351.303(f)(1)(i) of the regulations, a copy of each request must be served on every party on the Department's service list.

The Department will publish in the **Federal Register** a notice of "Initiation of Administrative Review of Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation" for requests received by the last day of June 2005. If the Department does not receive, by the last day of June 2005, a request for review of entries covered by an order, finding, or suspended investigation listed in this notice and for the period identified above, the Department will instruct Customs and Border Protection to assess antidumping or countervailing duties on those entries at a rate equal to the cash deposit of (or bond for) estimated antidumping or countervailing duties required on those entries at the time of entry, or withdrawal from warehouse, for consumption and to continue to collect the cash deposit previously ordered.

This notice is not required by statute but is published as a service to the international trading community.

Dated: May 25, 2005.

Holly A. Kuga,

Senior Office Director, AD/CVD Operations,
Office 4 for Import Administration.

[FR Doc. E5-2740 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

Initiation of Five-year ("Sunset") Reviews

AGENCY: Import Administration,
International Trade Administration,
Department of Commerce.

SUMMARY: In accordance with section 751(c) of the Tariff Act of 1930, as amended ("the Act"), the Department of Commerce ("the Department") is automatically initiating five-year ("sunset") reviews of the antidumping duty orders listed below. The International Trade Commission ("the Commission") is publishing concurrently with this notice its notice of *Institution of Five-year Review* which covers these same orders.

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT: Zev Primor, Office 4, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-4114, or Mary Messer, Office of Investigations, U.S. International Trade Commission at (202) 205-3193.

SUPPLEMENTARY INFORMATION:

Background

The Department's procedures for the conduct of sunset reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98.3 – *Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders*; Policy Bulletin, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin").

Initiation of Reviews

In accordance with 19 CFR 351.218(c), we are initiating the sunset reviews of the following antidumping duty orders:

| DOC Case No. | ITC Case No. | Country | Product |
|-----------------|--------------|----------------|--|
| A-427-801 | 731-TA-392A | France | Antifriction Bearings, Ball |
| A-427-801 | 731-TA-392C | France | Antifriction Bearings, Spherical Plain |
| A-428-801 | 731-TA-391A | Germany | Antifriction Bearings, Ball |
| A-475-801 | 731-TA-393A | Italy | Antifriction Bearings, Ball |
| A-588-804 | 731-TA-394A | Japan | Antifriction Bearings, Ball |
| A-559-801 | 731-TA-396 | Singapore | Antifriction Bearings, Ball |
| A-412-801 | 731-TA-399A | United Kingdom | Antifriction Bearings, Ball |

| DOC Case No. | ITC Case No. | Country | Product |
|-----------------|--------------|---------|-------------------------|
| A-570-836 | 731-TA-718 | PRC | Glycine |
| A-570-804 | 731-TA-464 | PRC | Sparklers |
| A-570-601 | 731-TA-344 | PRC | Tapered Roller Bearings |

Filing Information

As a courtesy, we are making information related to sunset proceedings, including copies of the Department's regulations regarding sunset reviews (19 CFR 351.218) and the *Sunset Policy Bulletin*, the Department's schedule of sunset reviews, case history information (*i.e.*, previous margins, duty absorption determinations, scope language, import volumes), and service lists available to the public on the Department's sunset Internet website at the following address: "http://ia.ita.doc.gov/sunset/." All submissions in these sunset reviews must be filed in accordance with the Department's regulations regarding format, translation, service, and certification of documents. These rules can be found at 19 CFR 351.303.

Because deadlines in a sunset review can be very short, we urge interested parties to apply for access to proprietary information under administrative protective order ("APO") immediately following publication in the **Federal Register** of the notice of initiation of the sunset review. The Department's regulations on submission of proprietary information and eligibility to receive access to business proprietary information under APO can be found at 19 CFR 351.304-306.

Information Required from Interested Parties

Domestic interested parties (defined in section 771(9)(C), (D), (E), (F), and (G) of the Act and 19 CFR 351.102(b)) wishing to participate in these sunset reviews must respond not later than 15 days after the date of publication in the **Federal Register** of the notice of initiation by filing a notice of intent to participate. The required contents of the notice of intent to participate are set forth at 19 CFR 351.218(d)(1)(ii). In accordance with the Department's regulations, if we do not receive a notice of intent to participate from at least one domestic interested party, with respect to a given order listed above, by the 15-day deadline, the Department will automatically revoke that order without further review. See 19 CFR 351.218(d)(1)(iii).

If we receive an order-specific notice of intent to participate from a domestic interested party, the Department's regulations provide that *all parties*

wishing to participate in the sunset review of that order must file complete substantive responses not later than 30 days after the date of publication in the **Federal Register** of this notice of initiation. The required contents of a substantive response, on an order-specific basis, are set forth at 19 CFR 351.218(d)(3). Note that certain information requirements differ for respondent and domestic parties. Also, note that the Department's information requirements are distinct from the Commission's information requirements. Please consult the Department's regulations for information regarding the Department's conduct of sunset reviews.¹ Please consult the Department's regulations at 19 CFR Part 351 for definitions of terms and for other general information concerning antidumping and countervailing duty proceedings at the Department.

This notice of initiation is being published in accordance with section 751(c) of the Act and 19 CFR 351.218(c).

Dated: May 25, 2005.

Holly A. Kuga,

Senior Office Director, AD/CVD Operations,
Office 4 for Import Administration.

[FR Doc. E5-2771 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Advance Notification of Sunset Reviews

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

ACTION: Notice of Upcoming Sunset Reviews

¹ In comments made on the interim final sunset regulations, a number of parties stated that the proposed five-day period for rebuttals to substantive responses to a notice of initiation was insufficient. This requirement was retained in the final sunset regulations at 19 CFR 351.218(d)(4). As provided in 19 CFR 351.302(b), however, the Department will consider individual requests for extension of that five-day deadline based upon a showing of good cause.

Background

Every five years, pursuant to section 751(c) of the Tariff Act of 1930, as amended, the Department of Commerce ("the Department") and the International Trade Commission automatically initiate and conduct a review to determine whether revocation of a countervailing or antidumping duty order or termination of an investigation suspended under section 704 or 734 would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury.

FOR FURTHER INFORMATION CONTACT: Zev Primor, Office 4, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-4114.

SUPPLEMENTARY INFORMATION:

Upcoming Sunset Reviews for July 2005

The following sunset reviews are scheduled for initiation in July 2005 and will appear in that month's Notice of Initiation of Five-year Sunset Reviews.

Antidumping Duty Proceedings

Axes & Adzes from the People's Republic of China (A-570-803)
Bars & Wedges from the People's Republic of China (A-570-803)
Hammers & Sledges from the People's Republic of China (A-570-803)
Picks & Mattocks from the People's Republic of China (A-570-803)
Cased Pencils from the People's Republic of China (A-570-827)
Certain Circular Welded Carbon Steel Pipes and Tubes from Taiwan (A-583-008)
Circular Welded Non-Alloy Steel Pipe from Brazil (A-351-809)
Circular Welded Non-Alloy Steel Pipe from Mexico (A-201-805)
Circular Welded Non-Alloy Steel Pipe from South Korea (A-580-809)
Circular Welded Non-Alloy Steel Pipe from Taiwan (A-583-814)
Light-Walled Rectangular Welded Carbon Steel Pipe and Tube from Argentina (A-357-802)
Light-Walled Rectangular Welded Carbon Steel Pipe and Tube from Taiwan (A-583-803)
Paper Clips from the People's Republic of China (A-570-826)
Stainless Steel Flanges from India (A-533-809)
Stainless Steel Flanges from Taiwan (A-583-821)

Stainless Steel Wire Rod from Brazil (A-351-819)

Stainless Steel Wire Rod from France (A-427-811)

Stainless Steel Wire Rod from India (A-533-808)

Tin Mill Products from Japan (A-588-854)

Welded Carbon Steel Pipes & Tubes from India (A-533-502)

Welded Carbon Steel Pipe & Tube from Thailand (A-549-502)

Welded Carbon Steel Pipe & Tube from Turkey (A-489-501)

Countervailing Duty Proceedings

Alloy Magnesium from Canada (C-122-815)

Pure Magnesium from Canada (C-122-815)

Welded Carbon Steel Pipe and Tube from Turkey (C-489-502)

Suspended Investigations

Uranium from Russia (A-821-802)

The Department's procedures for the conduct of sunset reviews are set forth in 19 CFR 351.218. Guidance on methodological or analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98.3, "Policies Regarding the Conduct of Five-year ("Sunset") Reviews of Antidumping and Countervailing Duty Orders;" Policy Bulletin, 63 FR 18871 (April 16, 1998) ("Sunset Policy Bulletin"). The Notice of Initiation of Five-year ("Sunset") Reviews provides further information regarding what is required of all parties to participate in sunset reviews.

Please note that if the Department receives a Notice of Intent to Participate from a member of the domestic industry within 15 days of the date of initiation, the review will continue. Thereafter, any interested party wishing to participate in the sunset review must provide substantive comments in response to the notice of initiation no later than 30 days after the date of initiation.

This notice is not required by statute but is published as a service to the international trading community.

Dated: May 25, 2005.

Holly A. Kuga,

Senior Office Director AD/CVD Operations, Office 4 for Import Administration.

[FR Doc. E5-2772 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

[A-533-810]

Stainless Steel Bar from India: Extension of Time Limit for the Final Results of the Antidumping Duty Administrative Review

AGENCY: Import Administration, International Trade Administration, Department of Commerce.

SUMMARY: The Department of Commerce is extending the time limit for the final results of the administrative review of the antidumping duty order on stainless steel bar from India. The period of review is February 1, 2003, through January 31, 2004. This extension is made pursuant to section 751(a)(3)(A) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act.

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT:

Scott Holland, AD/CVD Operations, Office 1, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington DC 20230; telephone (202) 482-1279.

SUPPLEMENTARY INFORMATION:

Background

On March 7, 2005, the Department of Commerce ("the Department") published the preliminary results of the administrative review of the antidumping duty order on stainless steel bar from India covering the period February 1, 2003, through January 31, 2004 (70 FR 10977). The final results for the antidumping duty administrative review of stainless steel bar from India are currently due no later than July 5, 2005.

Extension of Time Limits for Final Results

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act ("the Act"), requires the Department to issue the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an antidumping duty order for which a review is requested and issue the final results within 120 days after the date on which the preliminary results are published. However, if it is not practicable to complete the review within the time period, section 751(a)(3)(A) of the Act allows the Department to extend these deadlines to a maximum of 365 days and 180 days, respectively.

On March 28, 2005, the sole respondent in this proceeding, Chandan Steel, Ltd. ("Chandan"), submitted new factual information that included previously unreported sales of the subject merchandise to the United States five days prior to the scheduled sales and cost verification. This information was significant to the Department's conduct of verification and understood fully before the Department could conduct verification and as a result, the Department postponed the verification. On May 12, 2005, the Department rejected the March 28, 2005, submission because we determined that the new information contained in the submission represented new and untimely filed factual information. See Letter from Susan H. Kuhbach to Peter Koenig, dated May 12, 2005.

In accordance with 782(i)(3) of the Act, the Department must still conduct the verification and issue the verification findings. Therefore, we find that it is not practicable to complete this review within the originally anticipated time limit (*i.e.*, by July 5, 2005). Accordingly, the Department is extending the time limit for completion of the final results to no later than August 25, 2005, in accordance with section 751(a)(3)(A) of the Act.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 24, 2005.

Barbara E. Tillman,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. E5-2769 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

[C-549-818]

Notice of Rescission of Countervailing Duty Administrative Review: Certain Hot-Rolled Carbon Steel Flat Products from Thailand

AGENCY: Import Administration, International Trade Administration, U.S. Department of Commerce.

SUMMARY: In accordance with 19 CFR 351.213(b), the United States Steel Corporation ("petitioner") submitted a timely request for an administrative review of the countervailing duty order on certain hot-rolled carbon steel flat products from Thailand for Sahaviriya Steel Industries Public Company Limited ("SSI"), an exporter and producer of subject merchandise. SSI

also submitted a timely request for an administrative review. SSI's request for review requested that no review be conducted, or alternatively, if a review is conducted, SSI requested a deferral of administrative review in accordance with 19 CFR 351.213(c). The Department of Commerce ("the Department") initiated an administrative review of this order covering the period January 1, 2003, through December 31, 2003. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 70 FR 4818 (January 31, 2005) ("Initiation Notice"). We are rescinding this administrative review because all requests have been withdrawn in accordance with 19 CFR 351.213(d)(1).

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT:

Sean Carey at (202) 482-3964 or Addilyn Chams-Eddine at (202) 482-0648, AD/CVD Operations, Office 6, Import Administration, U.S. Department of Commerce, Room 7866, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

SUPPLEMENTARY INFORMATION:

Background

On December 3, 2001, the Department published a countervailing duty order on certain hot-rolled carbon steel flat products from Thailand. *See Notice of Countervailing Duty Orders: Certain Hot-Rolled Carbon Steel Flat Products from Thailand*, 66 FR 60197 (December 3, 2001). On December 30, 2004, SSI requested that the Department not conduct an administrative review of the January 1, 2003, through December 31, 2003 period of review (POR). According to SSI, there were no U.S. sales or shipments from Thailand of subject merchandise during the POR, and there was only one entry of subject merchandise during the POR. SSI further requested a deferral of the administrative review if the Department conducts an administrative review based on the one entry during the POR, in order to allow the Court of Appeals for the Federal Circuit to reach its final judgement regarding the U.S. Court of International Trade's *de minimis* determination in *Royal Thai Gov't v. United States*, 28 CIT, Slip Op. 04-124 (October 1, 2004).

On January 3, 2005, petitioner requested an administrative review of subject merchandise, produced or exported by SSI during the POR. On January 19, 2005, petitioner submitted an objection to SSI's request for a deferral of the administrative review under section 351.213(c)(ii) of the

Department's regulations. Petitioner's objection was timely filed on January 19, 2005, because they had requested a one-day extension for filing the deferral objection on January 18, 2005, since the Department had closed prior to 5:00 p.m. due to an emergency situation which prevented the Department from accepting filings.

In accordance with 19 CFR 351.221(c)(1)(i), we published a notice of initiation of the review on January 31, 2005. *See Initiation Notice*. On April 26, 2005, petitioner and SSI withdrew their requests for review.

Rescission of Countervailing Duty Administrative Review

Section 351.213(d)(1) of the Department's regulations provide that the Department will rescind an administrative review if a party that requested a review withdraws the request within 90 days of the date of publication of the notice of initiation of the requested review. Petitioner and SSI were the only parties to request a review and both parties withdrew their request for an administrative review on April 26, 2005, which is within the 90-day deadline. The Department is therefore rescinding this administrative review for the period January 1, 2003, through December 31, 2003, in accordance with 19 CFR 351.213(d)(1). The Department will issue appropriate assessment instructions directly to U.S. Customs and Border Protection (CBP) within 15 days of publication of this notice. The Department will direct CBP to assess countervailing duties for all entries of subject merchandise, including those produced or exported by SSI, at the cash deposit rate in effect on the date of entry for entries made during the period January 1, 2003, through December 31, 2003.

This rescission and notice are issued and published in accordance with 19 CFR 351.213(d)(4) and sections 751(a)(1) and 777(i)(1) of the Tariff Act of 1930, as amended.

Dated: May 25, 2005.

Holly A. Kuga,

Acting Deputy Assistant Secretary for Import Administration.

[FR Doc. E5-2770 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of decision of panel.

SUMMARY: On April 29, 2005 the binational panel issued its decision in the review of the determination on remand made by the International Trade Commission, respecting Certain Corrosion-Resistant Carbon Steel Flat Products from Canada Final Injury Determination, Secretariat File No. USA-CDA-2000-1904-11. The binational panel affirmed the International Trade Commission's determination on remand with one dissenting opinion. On May 20, 2005, pursuant to a Notice of Motion on behalf of complainant Dofasco, Inc., the panel has re-issued its decision with explanations. Copies of the panel decision are available from the U.S. Section of the NAFTA Secretariat.

FOR FURTHER INFORMATION CONTACT:

Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter has been conducted in accordance with these Rules.

Panel Decision: The panel affirmed the International Trade Commission's determination on remand respecting

Certain Corrosion-Resistant Carbon Steel Flat Products from Canada with one dissenting opinion. The panel has directed the Secretary to issue a Notice of Final Panel Action on the 11th day following the issuance of the May 20, 2005 panel decision.

Dated: May 20, 2005.

Caratina L. Alston,

U.S. Secretary, NAFTA Secretariat.

[FR Doc. E5-2774 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

North American Free-Trade Agreement, Article 1904; NAFTA Panel Reviews; Notice of Panel Decision

AGENCY: NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

ACTION: Notice of panel decision.

SUMMARY: On May 20, 2005, the binational panel issued its decision in the review of the final results of the affirmative countervailing duty redetermination on remand made by the International Trade Administration (ITA) respecting Certain Softwood Lumber Products from Canada (Secretariat File No. USA-CDA-2002-1904-03). The panel issued its third remand to the Department of Commerce. The Department will return the third redetermination based on the remand instructions of the panel. A copy of the complete panel decision is available from the NAFTA Secretariat.

FOR FURTHER INFORMATION CONTACT: Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

SUPPLEMENTARY INFORMATION: Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from the other country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United

States, the Government of Canada and the Government of Mexico established Rules of Procedure for Article 1904 Binational Panel Reviews ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

Panel Decision: On May 20, 2005, the Binational Panel issued its third remand to the Department of Commerce's final countervailing duty determination on remand. The following issues were remanded to the Department:

1. The Department is directed, subject to the conditions set forth at the end of Section V of the opinion, to reopen the record for the limited purpose of developing price information for sales reported by syndicates in the Province of Quebec and to verify such information to the extent it feels appropriate. The Department is directed to grant sufficient time to accomplish this task, and to recalculate the Quebec benchmarks including this price information;

2. The Department is directed to recalculate the profit earned by log sellers in Quebec starting with a blended price combining both private logs and imported logs;

3. The Department is directed to grant exclusions from the countervailing duty order to sales by Ontario companies for which the "input source" was unsubsidized, and to exclude those sales from the denominator of its benefit/countervailing duty rate calculations;

4. The Department is directed to include in its calculations for Ontario, the profit earned by private log sellers; and

5. The Department is directed to match the numerators to the denominators of its countervailing duty rate calculations.

Commerce was directed to issue its determination on remand within 45 days of the issuance of the panel decision or within 45 days of the receipt of information obtained pursuant to the reopening of the record.

Dated: May 26, 2005.

Caratina L. Alston,

United States Secretary, NAFTA Secretariat.

[FR Doc. E5-2773 Filed 5-31-05; 8:45 am]

BILLING CODE 3510-DS-P

DEFENSE BASE CLOSURE AND REALIGNMENT COMMISSION

Notice of the 2005 Defense Base Closure and Realignment Commission—Open Meeting

AGENCY: Defense Base Closure and Realignment Commission.

ACTION: Notice; 2005 Defense Base Closure and Realignment Commission—Open Meeting (St. Louis, MO).

SUMMARY: Notice is hereby given that a sub-group of the 2005 Defense Base Closure and Realignment Commission will hold an open meeting at the St. Louis Airport Marriott, 10700 Pear Tree Lane, St. Louis, Missouri 63134 on June 7, 2005 from 8:30 a.m. to 6 p.m.

A sub-group of the Commission will meet to receive comment from Federal, state and local government representatives and the general public on base realignment and closure actions in Kentucky, Illinois, Indiana, Iowa, Missouri and Tennessee that have been recommended by the Department of Defense (DoD). The purpose of this regional meeting is to allow communities experiencing a base closure or major realignment action (defined as loss of 300 civilian positions or 400 military and civilian positions) an opportunity to voice their concerns, counter-arguments, and opinions. This meeting will be open to the public, subject to the availability of space. The sub-group of the Commission will not render decisions regarding the DoD recommendations at this meeting, but will gather information for later deliberations by the Commission as a whole.

DATES: June 7, 2005, from 8:30 a.m. to 6 p.m.

ADDRESSES: St. Louis Airport Marriott, 10700 Pear Tree Lane, St. Louis, Missouri 63134.

FOR FURTHER INFORMATION CONTACT:

Please see the 2005 Defense Base Closure and Realignment Commission Web site, <http://www.brac.gov>. The Commission invites the public to provide direct comment by sending an electronic message through the portal provided on the Commission's website or by mailing comments and supporting documents to the 2005 Defense Base Closure and Realignment Commission, 2521 South Clark Street Suite 600, Arlington, Virginia 22202-3920. For questions regarding this announcement, contact Mr. Dan Cowhig, Deputy General Counsel and Designated Federal Officer, at the Commission's mailing address or by telephone at 703-699-2950 or 2708.

Dated: May 24, 2005.

Jeannette Owings-Ballard,

Administrative Support Officer.

[FR Doc. 05-10832 Filed 5-31-05; 8:45 am]

BILLING CODE 5001-06-P

**DEFENSE BASE CLOSURE AND
REALIGNMENT COMMISSION****Notice of the 2005 Defense Base
Closure and Realignment
Commission—Open Meeting (Salt Lake
City, UT)**

AGENCY: Defense Base Closure and
Realignment Commission.

ACTION: Notice; 2005 Defense Base
Closure and Realignment Commission—
Open Meeting (Salt Lake City, UT).

SUMMARY: Notice is hereby given that the open meeting of the 2005 Defense Base Closure and Realignment Commission in Salt Lake City, Utah, will be held on June 6, 2005 from 2 p.m. to 4:30 p.m. at the Salt Palace Convention Center, 100 South West Temple, Salt Lake City, Utah 84101. The delay in determining the venue, and delay of this notice resulted from unanticipated conflicts in the schedules of the various Federal, state and local officials whose participation was judged essential to a meaningful public discussion. The Commission requests that the public consult the 2005 Defense Base Closure and Realignment Commission Web site, <http://www.brac.gov>, for updates.

The Commission will meet to receive comment from Federal, state and local government representatives and the general public on base realignment and closure actions in Idaho and Utah that have been recommended by the Department of Defense (DoD). The purpose of this regional meeting is to allow communities experiencing a base closure or major realignment action

(defined as loss of 300 civilian positions or 400 military and civilian positions) an opportunity to voice their concerns, counter-arguments, and opinions in a live public forum. This meeting will be open to the public, subject to the availability of space. The Commission will not render decisions regarding the DoD recommendations at this meeting, but will gather information for later deliberations by the Commission as a whole.

DATES: June 6, 2005 from 2 p.m. to 4:30 p.m.

ADDRESSES: Salt Palace Convention Center, 100 South West Temple, Salt Lake City, Utah 84101.

FOR FURTHER INFORMATION CONTACT:

Please see the 2005 Defense Base Closure and Realignment Commission Web site, <http://www.brac.gov>. The Commission invites the public to provide direct comment by sending an electronic message through the portal provided on the Commission's website or by mailing comments and supporting documents to the 2005 Defense Base Closure and Realignment Commission, 2521 South Clark Street, Suite 600, Arlington, Virginia 22202-3920. The Commission requests that public comments be directed toward matters bearing on the decision criteria described in *The Defense Base Closure and Realignment Act of 1990*, as amended, available on the Commission Web site. Sections 2912 through 2914 of that Act describe the criteria and many of the essential elements of the 2005 BRAC process. For questions regarding this announcement, contact Mr. Dan Cowhig, Deputy General Counsel and

Designated Federal Officer, at the Commission's mailing address or by telephone at 703-699-2950 or 2708.

Dated: May 26, 2005.

Jeannette Owings-Ballard,

Administrative Support Officer.

[FR Doc. 05-10879 Filed 5-31-05; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE**Office of the Secretary**

[Transmittal No. 05-13]

36(b)(1) Arms Sales Notification

AGENCY: Department of Defense, Defense Security Cooperation Agency.

ACTION: Notice.

SUMMARY: The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Public Law 104-164 dated 21 July 1996.

FOR FURTHER INFORMATION CONTACT: Ms. J. Hurd, DSCA/OPS ADMIN, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 05-13 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: May 25, 2005.

Jeannette Owings-Ballard,

*OSD Federal Register Liaison Officer,
Department of Defense.*

BILLING CODE 5001-06-P



DEFENSE SECURITY COOPERATION AGENCY

WASHINGTON, DC 20301-2800

23 MAY 2005
In reply refer to:
I-04/008403

The Honorable J. Dennis Hastert
Speaker of the House of Representatives
Washington, D.C. 20515-6501

Dear Mr. Speaker:

Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 05-01, concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to the Taipei Economic and Cultural Representative Office in the United States for defense articles and services estimated to cost \$12 billion. Soon after this letter is delivered to your office, we plan to notify the news media.

Sincerely,

A handwritten signature in black ink, reading "Richard J. Millies", is positioned above the typed name and title.

Richard J. Millies
Deputy Director

Enclosures:

- 1. Transmittal**
- 2. Policy Justification**
- 3. Sensitivity of Technology**

Same ltr to: House Committee on International Relations
Senate Committee on Foreign Relations
House Committee on Armed Services
Senate Committee on Armed Services
House Committee on Appropriations
Senate Committee on Appropriations

Transmittal No. 05-13

**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act, as amended**

- (i) **Prospective Purchaser:** Australia
- (ii) **Total Estimated Value:**
- | | |
|---------------------------------|-----------------------------|
| Major Defense Equipment* | \$200 million |
| Other | <u>\$150 million</u> |
| TOTAL | \$350 million |
- (iii) **Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:** three MK 7 AEGIS Weapons Systems, support equipment, testing, computer programs and maintenance support, ship integration, spare and repair parts, supply support, publications and technical data, training, U.S. Government and contractor technical assistance, and other related elements of logistics support.
- (iv) **Military Department:** Navy (LCQ)
- (v) **Prior Related Cases, if any:** none
- (vi) **Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid:** none
- (vii) **Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold:** See Annex attached
- (viii) **Date Report Delivered to Congress:** 23 MAY 2005

* as defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia – AEGIS Weapons Systems

The Government of Australia has requested a possible sale of three MK 7 AEGIS Weapons Systems, support equipment, testing, computer programs and maintenance support, ship integration, spare and repair parts, supply support, publications and technical data, training, U.S. Government and contractor technical assistance, and other related elements of logistics support. The estimated cost is \$350 million.

Australia is an important ally in the Western Pacific. The strategic location of this political and economic power significantly contributes to ensuring peace and economic stability in the region. It is vital to the U.S. national interest to assist the Royal Australian Navy (RAN) in modernizing its surface combatant fleet so as to maintain a strong and ready self-defense capability and contribute to an acceptable military balance in the area. This procurement also aids in maintaining the U.S. Navy (USN) production base and will improve interoperability between RAN and USN forces. This proposed sale is consistent with those objectives, and facilitates burden sharing with our allies.

The proposed sale of AEGIS Weapons Systems to Australia will contribute to U.S. security objectives by providing a coalition partner with significantly improved Air Warfare capability. This will improve the Royal Australian Navy's ability to participate in coalition operations, provides common logistical support with the USN, and enhances the lethality of its Air Warfare Destroyer platform. The RAN can easily integrate the capabilities of the AEGIS Weapons Systems into their concept of operations. Australia will have no difficulty absorbing these systems into its armed forces.

The proposed sale of this equipment and support will not affect the basic military balance in the region.

The principle contractors will be:

| | |
|---|-------------------------------|
| Lockheed-Martin Maritime System and Sensors | Moorestown, New Jersey |
| Raytheon Company, Equipment Division | Andover, Massachusetts |
| General Dynamics, Armament Systems | Burlington, Vermont |
| Lockheed Martin Maritime Systems and Sensors | Eagan, Minnesota |

There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require the assignment of up to three U.S. Government and contractor representatives to Australia.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

Transmittal No. 05-13**Notice of Proposed Issuance of Letter of Offer
Pursuant to Section 36(b)(1)
of the Arms Export Control Act****Annex
Item No. vii****(vii) Sensitivity of Technology:**

1. The AEGIS Weapon System (AWS) hardware is unclassified, with the exception of the RF oscillator used in the Fire Control transmitter, which is classified Confidential. AEGIS documentation in general is unclassified; however, seven operation and maintenance manuals are classified Confidential, and one AEGIS maintenance manual supplement is classified Secret. The manuals and technical documents are limited to those necessary for operational and organizational maintenance.

2. While the hardware associated with the AN/SPY-1D(V) radar is unclassified, the computer programs are classified Secret. It is the combination of the AN/SPY-1D(V) hardware and the computer programs for the AN/SPY-1D(V) radar that constitutes the sensitive technology. The SPY-1D(V) radar hardware design and production data will not be released with this proposed sale. Some computer program documentation at the Secret level explaining the capabilities of the systems will be released to support Australian understanding of U.S. computer program development efforts. No computer program design data will be released at this time. The U.S. Navy will perform life cycle maintenance of the AEGIS weapons system computer programs.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures or equivalent systems which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

[FR Doc. 05-10829 Filed 5-31-05; 8:45 am]
BILLING CODE 5001-06-C

DEPARTMENT OF DEFENSE**Office of the Secretary****Meeting of the Defense Policy Board
Advisory Committee**

AGENCY: Department of Defense, Defense Policy Board Advisory Committee.

ACTION: Notice; meeting of the Defense Policy Board Advisory Committee.

SUMMARY: The Defense Policy Board Advisory Committee will meet in closed session at the Pentagon on June 16, 2005 from 0900 to 2000 and June 17, 2005 from 0830 to 1500.

The purpose of the meeting is to provide the Secretary of Defense, Deputy Secretary of Defense and Under

Secretary of Defense for Policy with independent, informed advice on major matters of defense policy. The Board will hold classified discussions on national security matters.

In accordance with Section 10(d) of the Federal Advisory Committee Act, Public Law 92-463, as amended [5 U.S.C. App II (1982)], it has been determined that this meeting concerns matters listed in 5 U.S.C. 552B (c)(1)(1982), and that accordingly this meeting will be closed to the public.

DATES: June 16, 2005 from 0900 to 2000 and June 17, 2005 from 0830 to 1500.

ADDRESSES: The Pentagon.

FOR FURTHER INFORMATION CONTACT: Ms. Ann E. Hansen at telephone number 703-693-7034.

Dated: May 24, 2005.

Jeannette Owings-Ballard,
OSD Federal Register Liaison Officer,
Department of Defense.

[FR Doc. 05-10830 Filed 5-31-05; 8:45 am]

BILLING CODE 5001-06-P

DEPARTMENT OF DEFENSE**Office of the Secretary****Open Meeting of the National Defense
University Visitors (BOV)**

AGENCY: National Defense University, DoD.

ACTION: Notice; open meeting of the National Defense University Visitors (BOV).

SUMMARY: The President, National Defense University has scheduled a meeting of the Board of Visitors.

Request subject notice be published in the **Federal Register**. The National Defense University Board of Visitors is a Federal Advisory Board. The Board meets twice a year in proceedings that are open to the Public.

DATES: The meeting will be held on September 12–13, 2005 from 11:00 to 17:00 on the 12th and continuing on the 13th from 8:30 to 13:30.

LOCATION: The Board of Visitors meeting will be held at Building 62, Marshall Hall, Room 155, National Defense University, 300 5th Avenue, Fort McNair, Washington, DC 20319–5066.

FOR FURTHER INFORMATION CONTACT: The point of contact for this notice of an open meeting is Ms. Tonya Barbee at (202) 685–3539, Fax (202) 685–3935 or barbeet@ndu.edu.

SUPPLEMENTARY INFORMATION: The future agenda will include discussions on Defense transformation, faculty development, facilities, information technology, curriculum development, post 9/11 initiatives as well as other operational issues and areas of interest affecting the day-to-day operations of the national Defense University and its components. The meeting is open to the

public; limited space made available for observers will be allocated on a first come, first served basis.

Dated: May 26, 2005.

Jeannette Owings-Ballard,

OSD Federal Liaison Officer, Department of Defense.

[FR Doc. 05–10871 Filed 5–31–05; 8:45 am]

BILLING CODE 5001–06–P

DEPARTMENT OF DEFENSE

Office of the Secretary

Revised Non-Foreign Overseas Per Diem Rates

AGENCY: DoD, Per Diem, Travel and Transportation Allowance Committee.

ACTION: Notice of revised non-foreign overseas per diem rates.

SUMMARY: The Per diem, Travel and Transportation Allowance Committee is publishing Civilian Personnel Per Diem Bulletin Number 240. This bulletin lists revisions in the per diem rates prescribed for U.S. Government employees for official travel in Alaska, Hawaii, Puerto Rico, the Northern Mariana Islands and Possessions of the United States. AEA changes announced

in Bulletin Number 194 remain in effect. Bulletin Number 240 is being published in the **Federal Register** to assure that travelers are paid per diem at the most current rates.

EFFECTIVE DATE: June 1, 2005.

SUPPLEMENTARY INFORMATION: This document gives notice of revisions in per diem rates prescribed by the Per Diem Travel and Transportation Allowance Committee for non-foreign areas outside the continental United States. It supersedes Civilian Personnel Per Diem Bulletin Number 239. Distribution of Civilian Personnel Per Diem Bulletins by mail was discontinued. Per Diem Bulletins published periodically in the **Federal Register** now constitute the only notification of revisions in per diem rates to agencies and establishments outside the Department of Defense. For more information or questions about per diem rates, please contact your local travel office. The text of the Bulletin follows:

Dated: May 26, 2005.

Jeannette Owings-Ballard,

OSD Federal Register Liaison Officer, Department of Defense.

BILLING CODE 5001–06–M

Maximum Per Diem Rates for official travel in Alaska, Hawaii, the Commonwealths of Puerto Rico and the Northern Mariana Islands and Possessions of the United States by Federal Government civilian employees.

| LOCALITY | MAXIMUM LODGING AMOUNT (A) | + | M&IE RATE (B) | = | MAXIMUM PER DIEM RATE (C) | EFFECTIVE DATE |
|--|-------------------------------------|---|---------------------|---|------------------------------------|-------------------|
| THE ONLY CHANGES IN CIVILIAN BULLETIN 240 ARE UPDATES TO THE RATES FOR JUNEAU, TOK AND PETERSBURG, ALASKA; GUAM; AND NORTHERN MARIANA ISLANDS. | | | | | | |
| ALASKA | | | | | | |
| ADAK | 120 | | 79 | | 199 | 07/01/2003 |
| ANCHORAGE [INCL NAV RES] | | | | | | |
| 05/01 - 09/15 | 170 | | 89 | | 259 | 06/01/2004 |
| 09/16 - 04/30 | 95 | | 81 | | 176 | 06/01/2004 |
| BARROW | 159 | | 95 | | 254 | 05/01/2002 |
| BETHEL | 119 | | 77 | | 196 | 06/01/2004 |
| BETTLES | 135 | | 62 | | 197 | 10/01/2004 |
| CLEAR AB | 80 | | 55 | | 135 | 09/01/2001 |
| COLD BAY | 90 | | 73 | | 163 | 05/01/2002 |
| COLDFOOT | 135 | | 71 | | 206 | 10/01/1999 |
| COPPER CENTER | | | | | | |
| 05/16 - 09/15 | 109 | | 63 | | 172 | 07/01/2003 |
| 09/16 - 05/15 | 99 | | 63 | | 162 | 07/01/2003 |
| CORDOVA | | | | | | |
| 05/01 - 09/30 | 110 | | 74 | | 184 | 04/01/2005 |
| 10/01 - 04/30 | 85 | | 72 | | 157 | 04/01/2005 |
| CRAIG | | | | | | |
| 04/15 - 09/14 | 125 | | 64 | | 189 | 04/01/2005 |
| 09/15 - 04/14 | 95 | | 61 | | 156 | 04/01/2005 |
| DEADHORSE | 95 | | 67 | | 162 | 05/01/2002 |
| DELTA JUNCTION | 89 | | 75 | | 164 | 06/01/2004 |
| DENALI NATIONAL PARK | | | | | | |
| 06/01 - 08/31 | 114 | | 60 | | 174 | 04/01/2005 |
| 09/01 - 05/31 | 80 | | 57 | | 137 | 04/01/2005 |
| DILLINGHAM | 114 | | 69 | | 183 | 06/01/2004 |
| DUTCH HARBOR-UNALASKA | 121 | | 73 | | 194 | 04/01/2005 |
| EARECKSON AIR STATION | 80 | | 55 | | 135 | 09/01/2001 |
| EIELSON AFB | | | | | | |
| 05/01 - 09/15 | 159 | | 88 | | 247 | 06/01/2004 |
| 09/16 - 04/30 | 75 | | 79 | | 154 | 06/01/2004 |
| ELMENDORF AFB | | | | | | |
| 05/01 - 09/15 | 170 | | 89 | | 259 | 06/01/2004 |
| 09/16 - 04/30 | 95 | | 81 | | 176 | 06/01/2004 |
| FAIRBANKS | | | | | | |
| 05/01 - 09/15 | 159 | | 88 | | 247 | 06/01/2004 |
| 09/16 - 04/30 | 75 | | 79 | | 154 | 06/01/2004 |
| FOOTLOOSE | 175 | | 18 | | 193 | 06/01/2002 |
| FT. GREELY | 89 | | 75 | | 164 | 06/01/2004 |
| FT. RICHARDSON | | | | | | |
| 05/01 - 09/15 | 170 | | 89 | | 259 | 06/01/2004 |
| 09/16 - 04/30 | 95 | | 81 | | 176 | 06/01/2004 |
| FT. WAINWRIGHT | | | | | | |
| 05/01 - 09/15 | 159 | | 88 | | 247 | 06/01/2004 |
| 09/16 - 04/30 | 75 | | 79 | | 154 | 06/01/2004 |
| GLENNALLEN | | | | | | |
| 05/01 - 09/30 | 125 | | 73 | | 198 | 04/01/2005 |

Maximum Per Diem Rates for official travel in Alaska, Hawaii, the Commonwealths of Puerto Rico and the Northern Mariana Islands and Possessions of the United States by Federal Government civilian employees.

| LOCALITY | MAXIMUM LODGING AMOUNT (A) | + | M&IE RATE (B) | = | MAXIMUM PER DIEM RATE (C) | EFFECTIVE DATE |
|----------------------|-------------------------------------|---|---------------------|---|------------------------------------|-------------------|
| 10/01 - 04/30 | 89 | | 69 | | 158 | 04/01/2005 |
| HEALY | | | | | | |
| 06/01 - 08/31 | 114 | | 60 | | 174 | 04/01/2005 |
| 09/01 - 05/31 | 80 | | 57 | | 137 | 04/01/2005 |
| HOMER | | | | | | |
| 05/15 - 09/15 | 125 | | 73 | | 198 | 04/01/2005 |
| 09/16 - 05/14 | 76 | | 68 | | 144 | 04/01/2005 |
| JUNEAU | | | | | | |
| 05/01 - 09/30 | 120 | | 80 | | 200 | 06/01/2005 |
| 10/01 - 04/30 | 79 | | 77 | | 156 | 04/01/2005 |
| KAKTOVIK | 165 | | 86 | | 251 | 05/01/2002 |
| KAVIK CAMP | 150 | | 69 | | 219 | 05/01/2002 |
| KENAI-SOLDOTNA | | | | | | |
| 05/01 - 08/31 | 129 | | 82 | | 211 | 04/01/2005 |
| 09/01 - 04/30 | 79 | | 77 | | 156 | 04/01/2005 |
| KENNICOTT | 189 | | 85 | | 274 | 04/01/2005 |
| KETCHIKAN | | | | | | |
| 05/01 - 09/30 | 135 | | 82 | | 217 | 04/01/2005 |
| 10/01 - 04/30 | 98 | | 78 | | 176 | 04/01/2005 |
| KING SALMON | | | | | | |
| 05/01 - 10/01 | 225 | | 91 | | 316 | 05/01/2002 |
| 10/02 - 04/30 | 125 | | 81 | | 206 | 05/01/2002 |
| KLAWOCK | | | | | | |
| 04/15 - 09/14 | 125 | | 64 | | 189 | 04/01/2005 |
| 09/15 - 04/14 | 95 | | 61 | | 156 | 04/01/2005 |
| KODIAK | 112 | | 80 | | 192 | 04/01/2005 |
| KOTZEBUE | | | | | | |
| 05/15 - 09/30 | 141 | | 86 | | 227 | 02/01/2005 |
| 10/01 - 05/14 | 135 | | 85 | | 220 | 02/01/2005 |
| KULIS AGS | | | | | | |
| 05/01 - 09/15 | 170 | | 89 | | 259 | 06/01/2004 |
| 09/16 - 04/30 | 95 | | 81 | | 176 | 06/01/2004 |
| MCCARTHY | 189 | | 85 | | 274 | 04/01/2005 |
| METLAKATLA | | | | | | |
| 05/30 - 10/01 | 98 | | 48 | | 146 | 05/01/2002 |
| 10/02 - 05/29 | 78 | | 47 | | 125 | 05/01/2002 |
| MURPHY DOME | | | | | | |
| 05/01 - 09/15 | 159 | | 88 | | 247 | 06/01/2004 |
| 09/16 - 04/30 | 75 | | 79 | | 154 | 06/01/2004 |
| NOME | 120 | | 84 | | 204 | 04/01/2005 |
| NUIQSUT | 180 | | 53 | | 233 | 05/01/2002 |
| PETERSBURG | 80 | | 62 | | 142 | 06/01/2005 |
| POINT HOPE | 130 | | 70 | | 200 | 03/01/1999 |
| POINT LAY | 105 | | 67 | | 172 | 03/01/1999 |
| PORT ALSWORTH | 135 | | 88 | | 223 | 05/01/2002 |
| PRUDHOE BAY | 95 | | 67 | | 162 | 05/01/2002 |
| SEWARD | | | | | | |
| 05/01 - 09/30 | 145 | | 79 | | 224 | 04/01/2005 |
| 10/01 - 04/30 | 62 | | 71 | | 133 | 04/01/2005 |
| SITKA-MT. EDGE CUMBE | | | | | | |

Maximum Per Diem Rates for official travel in Alaska, Hawaii, the Commonwealths of Puerto Rico and the Northern Mariana Islands and Possessions of the United States by Federal Government civilian employees.

| LOCALITY | MAXIMUM LODGING AMOUNT (A) | + | M&IE RATE (B) | = | MAXIMUM PER DIEM RATE (C) | EFFECTIVE DATE |
|----------------------------------|-------------------------------------|---|---------------------|---|------------------------------------|-------------------|
| 05/01 - 09/30 | 119 | | 66 | | 185 | 04/01/2005 |
| 10/01 - 04/30 | 99 | | 64 | | 163 | 04/01/2005 |
| SKAGWAY | | | | | | |
| 05/01 - 09/30 | 135 | | 82 | | 217 | 04/01/2005 |
| 10/01 - 04/30 | 98 | | 78 | | 176 | 04/01/2005 |
| SLANA | | | | | | |
| 05/01 - 09/30 | 139 | | 55 | | 194 | 02/01/2005 |
| 10/01 - 04/30 | 99 | | 55 | | 154 | 02/01/2005 |
| SPRUCE CAPE | 112 | | 80 | | 192 | 04/01/2005 |
| ST. GEORGE | 129 | | 55 | | 184 | 06/01/2004 |
| TALKEETNA | 100 | | 89 | | 189 | 07/01/2002 |
| TANANA | 120 | | 84 | | 204 | 04/01/2005 |
| TOGIAK | 100 | | 39 | | 139 | 07/01/2002 |
| UMIAT | 180 | | 107 | | 287 | 04/01/2005 |
| UNALAKLEET | 79 | | 80 | | 159 | 04/01/2003 |
| VALDEZ | | | | | | |
| 05/01 - 10/01 | 129 | | 74 | | 203 | 04/01/2005 |
| 10/02 - 04/30 | 79 | | 69 | | 148 | 04/01/2005 |
| WASILLA | | | | | | |
| 05/01 - 09/30 | 134 | | 78 | | 212 | 04/01/2005 |
| 10/01 - 04/30 | 80 | | 73 | | 153 | 04/01/2005 |
| WRANGELL | | | | | | |
| 05/01 - 09/30 | 135 | | 82 | | 217 | 04/01/2005 |
| 10/01 - 04/30 | 98 | | 78 | | 176 | 04/01/2005 |
| YAKUTAT | 110 | | 68 | | 178 | 03/01/1999 |
| [OTHER] | 80 | | 55 | | 135 | 09/01/2001 |
| AMERICAN SAMOA | | | | | | |
| AMERICAN SAMOA | 135 | | 67 | | 202 | 06/01/2004 |
| GUAM | | | | | | |
| GUAM (INCL ALL MIL INSTAL) | 135 | | 90 | | 225 | 06/01/2005 |
| HAWAII | | | | | | |
| CAMP H M SMITH | 129 | | 96 | | 225 | 05/01/2005 |
| EASTPAC NAVAL COMP TELE AREA | 129 | | 96 | | 225 | 05/01/2005 |
| FT. DERUSSEY | 129 | | 96 | | 225 | 05/01/2005 |
| FT. SHAFTER | 129 | | 96 | | 225 | 05/01/2005 |
| HICKAM AFB | 129 | | 96 | | 225 | 05/01/2005 |
| HONOLULU (INCL NAV & MC RES CTR) | 129 | | 96 | | 225 | 05/01/2005 |
| ISLE OF HAWAII: HILO | 105 | | 80 | | 185 | 05/01/2005 |
| ISLE OF HAWAII: OTHER | 150 | | 92 | | 242 | 05/01/2005 |
| ISLE OF KAUAI | 158 | | 98 | | 256 | 05/01/2005 |
| ISLE OF MAUI | 159 | | 95 | | 254 | 06/01/2004 |
| ISLE OF OAHU | 129 | | 96 | | 225 | 05/01/2005 |
| KEKAHA PACIFIC MISSILE RANGE FAC | 158 | | 98 | | 256 | 05/01/2005 |
| KILAUEA MILITARY CAMP | 105 | | 80 | | 185 | 05/01/2005 |
| LANAI | 400 | | 153 | | 553 | 05/01/2005 |
| LUALUALEI NAVAL MAGAZINE | 129 | | 96 | | 225 | 05/01/2005 |
| MCB HAWAII | 129 | | 96 | | 225 | 05/01/2005 |
| MOLOKAI | 119 | | 95 | | 214 | 05/01/2005 |
| NAS BARBERS POINT | 129 | | 96 | | 225 | 05/01/2005 |
| PEARL HARBOR [INCL ALL MILITARY] | 129 | | 96 | | 225 | 05/01/2005 |

Maximum Per Diem Rates for official travel in Alaska, Hawaii, the Commonwealths of Puerto Rico and the Northern Mariana Islands and Possessions of the United States by Federal Government civilian employees.

| LOCALITY | MAXIMUM LODGING AMOUNT (A) | + | M&IE RATE (B) | = | MAXIMUM PER DIEM RATE (C) | EFFECTIVE DATE |
|----------------------------------|-------------------------------------|---|---------------------|---|------------------------------------|-------------------|
| SCHOFIELD BARRACKS | 129 | | 96 | | 225 | 05/01/2005 |
| WHEELER ARMY AIRFIELD | 129 | | 96 | | 225 | 05/01/2005 |
| [OTHER] | 72 | | 61 | | 133 | 01/01/2000 |
| MIDWAY ISLANDS | | | | | | |
| MIDWAY ISLANDS [INCL ALL MILITAR | 60 | | 32 | | 92 | 05/01/2005 |
| NORTHERN MARIANA ISLANDS | | | | | | |
| CHUUK | 120 | | 64 | | 184 | 06/01/2005 |
| KOSRAE | 105 | | 66 | | 171 | 06/01/2005 |
| POHNPEI | 106 | | 66 | | 172 | 06/01/2005 |
| ROTA | 129 | | 88 | | 217 | 06/01/2005 |
| SAIPAN | 121 | | 91 | | 212 | 06/01/2005 |
| TINIAN | 85 | | 80 | | 165 | 06/01/2005 |
| [OTHER] | 55 | | 72 | | 127 | 04/01/2000 |
| PUERTO RICO | | | | | | |
| BAYAMON | | | | | | |
| 04/11 - 12/23 | 155 | | 71 | | 226 | 01/01/2000 |
| 12/24 - 04/10 | 195 | | 75 | | 270 | 01/01/2000 |
| CAROLINA | | | | | | |
| 04/11 - 12/23 | 155 | | 71 | | 226 | 01/01/2000 |
| 12/24 - 04/10 | 195 | | 75 | | 270 | 01/01/2000 |
| FAJARDO [INCL CEIBA & LUQUILLO] | 82 | | 54 | | 136 | 01/01/2000 |
| FT. BUCHANAN [INCL GSA SVC CTR, | | | | | | |
| 04/11 - 12/23 | 155 | | 71 | | 226 | 01/01/2000 |
| 12/24 - 04/10 | 195 | | 75 | | 270 | 01/01/2000 |
| HUMACAO | 82 | | 54 | | 136 | 01/01/2000 |
| LUIS MUNOZ MARIN IAP AGS | | | | | | |
| 04/11 - 12/23 | 155 | | 71 | | 226 | 01/01/2000 |
| 12/24 - 04/10 | 195 | | 75 | | 270 | 01/01/2000 |
| MAYAGUEZ | 85 | | 59 | | 144 | 01/01/2000 |
| PONCE | 96 | | 69 | | 165 | 01/01/2000 |
| ROOSEVELT RDS & NAV STA | 82 | | 54 | | 136 | 01/01/2000 |
| SABANA SECA [INCL ALL MILITARY] | | | | | | |
| 04/11 - 12/23 | 155 | | 71 | | 226 | 01/01/2000 |
| 12/24 - 04/10 | 195 | | 75 | | 270 | 01/01/2000 |
| SAN JUAN & NAV RES STA | | | | | | |
| 04/11 - 12/23 | 155 | | 71 | | 226 | 01/01/2000 |
| 12/24 - 04/10 | 195 | | 75 | | 270 | 01/01/2000 |
| [OTHER] | 62 | | 57 | | 119 | 01/01/2000 |
| VIRGIN ISLANDS (U.S.) | | | | | | |
| ST. CROIX | | | | | | |
| 04/15 - 12/14 | 98 | | 83 | | 181 | 08/01/2003 |
| 12/15 - 04/14 | 135 | | 87 | | 222 | 08/01/2003 |
| ST. JOHN | | | | | | |
| 04/15 - 12/14 | 110 | | 91 | | 201 | 08/01/2003 |
| 12/15 - 04/14 | 185 | | 98 | | 283 | 08/01/2003 |
| ST. THOMAS | | | | | | |
| 04/15 - 12/14 | 163 | | 95 | | 258 | 08/01/2003 |
| 12/15 - 04/14 | 220 | | 99 | | 319 | 08/01/2003 |
| WAKE ISLAND | | | | | | |
| WAKE ISLAND | 60 | | 32 | | 92 | 09/01/1998 |

DEPARTMENT OF DEFENSE**Department of the Army; Corps of Engineers****Chief of Engineers Environmental Advisory Board Meeting**

AGENCY: Department of the Army, U.S. Army Corps of Engineers, DoD.

ACTION: Notice of open meeting.

SUMMARY: In accordance with 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the forthcoming meeting. The meeting is open to the public.

Name of Committee: Chief of Engineers Environmental Advisory Board (EAB).

Date: June 17, 2005.

Location: Radisson Hotel Old Town Alexandria, 901 N. Fairfax Street, Alexandria, VA 22314-1501, (703) 683-6000.

Time: 9 a.m. to 12 p.m.

FOR FURTHER INFORMATION CONTACT: Mr. Norman Edwards, Headquarters, U.S. Army Corps of Engineers, Washington, DC 20314-1000; Ph: 202-761-1934.

SUPPLEMENTARY INFORMATION: The Board advises the Chief of Engineers on environmental policy, identification and resolution of environmental issues and missions, and addressing challenges, problems and opportunities in an environmentally sustainable manner. The public meeting will focus on general issues of national significance rather than on individual project or region related topics. Time will be provided for public comment. Each speaker will be limited to no more than three minutes in order to accommodate as many people as possible within the limited time available.

Brenda S. Bowen,

Army Federal Register Liaison Officer.

[FR Doc. 05-10836 Filed 5-31-05; 8:45 am]

BILLING CODE 3710-92-M

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. CP05-355-000]

Tennessee Gas Pipeline Company; Notice of Application

May 24, 2005.

Take notice that Tennessee Gas Pipeline Company (Tennessee), 1001 Louisiana, Houston, Texas 77002, filed in Docket No. CP05-355-000 on May 16, 2005, an application pursuant to sections 7(c) of the Natural Gas Act

(NGA) and Part 157 of the Commission's Regulations, for authorization to construct its Northeast ConnexXion-NY/NJ Project. Tennessee requests authorization to construct, install and operate the proposed facilities, which include approximately six miles of looping on its existing Line 300 in western Pennsylvania, additional horsepower at its Stations 313 and 317 in Potter and Bradford Counties, Pennsylvania, and upgrades to the Ramsey Meter Station in Bergen County, New Jersey. These system enhancements are necessary for Tennessee to provide up to 50,000 Dth per day of incremental firm transportation capacity to its northeast markets and 51,100 Dth per day of incremental storage deliverability for its customer, Public Service Electric and Gas Company, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be also viewed on the web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call (202) 502-8659 or TTY, (202) 208-3676.

Any questions regarding this application should be directed to Susan T. Halbach, Senior Counsel, Tennessee Gas Pipeline Company, 1001 Louisiana, Houston, Texas, 77002, at (713) 420-5751 or fax (713) 420-1601.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as

possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

Comment Date: June 14, 2005.

Magalie R. Salas,

Secretary.

[FR Doc. E5-2758 Filed 5-31-05; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. CP05-352-000]

Tennessee Gas Pipeline Company and National Fuel Gas Supply Corporation; Notice of Application

May 24, 2005.

Take notice that Tennessee Gas Pipeline Company (Tennessee), 1001 Louisiana, Houston, Texas, 77002, and National Fuel Gas Supply Corporation (National Fuel), 6363 Main Street, Williamsville, New York, 14221, have jointly filed on May 16, 2005, in Docket No. CP05-352-000, an application

pursuant to section 7(c) of the Natural Gas Act (NGA) and Part 157 of the Commission's Regulations, for authorization to increase storage deliverability from the Hebron Storage Field, which is jointly owned by the applicants, by modifying the dehydration tower at Tennessee's Compressor Station 313 located in Potter County, Pennsylvania. The proposed modification will enhance total deliverability from approximately 425 MMcf per day to approximately 487 MMcf per day, all as more fully set forth in the application which is on file with the Commission and open to public inspection. This filing may be also viewed on the web at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number excluding the last three digits in the docket number field to access the document. For assistance, call (202) 502-8659 or TTY, (202) 208-3676.

Any questions regarding this application should be directed to Susan T. Halbach, Senior Counsel, Tennessee Gas Pipeline Company, 1001 Louisiana, Houston, Texas, 77002, at (713) 420-5751 or fax (713) 420-1601.

There are two ways to become involved in the Commission's review of this project. First, any person wishing to obtain legal status by becoming a party to the proceedings for this project should, on or before the comment date stated below, file with the Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426, a motion to intervene in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.214 or 385.211) and the Regulations under the NGA (18 CFR 157.10). A person obtaining party status will be placed on the service list maintained by the Secretary of the Commission and will receive copies of all documents filed by the applicant and by all other parties. A party must submit 14 copies of filings made with the Commission and must mail a copy to the applicant and to every other party in the proceeding. Only parties to the proceeding can ask for court review of Commission orders in the proceeding.

However, a person does not have to intervene in order to have comments considered. The second way to participate is by filing with the Secretary of the Commission, as soon as possible, an original and two copies of comments in support of or in opposition to this project. The Commission will consider these comments in determining the appropriate action to be taken, but the filing of a comment alone will not serve to make the filer a party to the proceeding. The Commission's

rules require that persons filing comments in opposition to the project provide copies of their protests only to the party or parties directly involved in the protest.

Persons who wish to comment only on the environmental review of this project should submit an original and two copies of their comments to the Secretary of the Commission. Environmental commenters will be placed on the Commission's environmental mailing list, will receive copies of the environmental documents, and will be notified of meetings associated with the Commission's environmental review process. Environmental commenters will not be required to serve copies of filed documents on all other parties. However, the non-party commenters will not receive copies of all documents filed by other parties or issued by the Commission (except for the mailing of environmental documents issued by the Commission) and will not have the right to seek court review of the Commission's final order.

Comments, protests and interventions may be filed electronically via the Internet in lieu of paper. See, 18 CFR 385.2001(a)(1)(iii) and the instructions on the Commission's Web site under the "e-Filing" link.

Comment Date: June 14, 2005.

Magalie R. Salas,
Secretary.

[FR Doc. E5-2761 Filed 5-31-05; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

Notice of Intent To File Application for New License

May 24, 2005.

a. *Type of filing:* Notice of Intent to File Application for a New License.

b. *Project No.:* 1992.

c. *Date filed:* April 28, 2005.

d. *Submitted By:* Ken Willis.

e. *Name of Project:* Fire Mountain Lodge Hydroelectric Project.

f. *Location:* On Fern Springs, in Tehama County, California near the town of Chester, Plumas County, California. The project occupies lands of the United States within Lassen National Forest.

g. *Filed Pursuant to:* Section 15 of the Federal Power Act; 18 CFR 16.6 of the Commission's regulations.

h. *Effective date of current license:* May 1, 1980.

i. *Expiration date of current license:* May 30, 2010.

j. *The project consists of:* A 6-foot-high and 30-foot-long concrete and rockfill dam impounding water from a collection of springs; a 1540-foot-long penstock having a diameter of 15 inches for 680 feet of its length and a diameter of 18 inches for 860 feet of its length; a frame powerhouse containing a 45-horsepower Pelton wheel turbine connected to a 50kW generator (with an operating capability of 15kW due to flow and head limitations at the site), and approximately 1,000 feet of transmission line.

k. Pursuant to 18 CFR 16.7, information on the project is available at: Ken Willis, Fire Mountain Lodge, 43500 Highway 36, Mill Creek, CA 96061; 1049 Cinnamon Ranch Road, Bishop, CA 93514.

l. *FERC contact:* Ann-Ariel Vecchio, (202) 502-6351, ann-ariel.vecchio@ferc.gov.

m. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by May 30, 2008.

n. A copy of this filing is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website at <http://www.ferc.gov> using the "eLibrary" link. Enter the docket number to access the document excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCOnlineSupport@ferc.gov or toll-free at 1-866-208-3676, or TTY 202-502-8659. A copy is also available for inspection and reproduction at the address in item k above.

o. Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via email of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support as shown in the paragraph above.

Magalie R. Salas,
Secretary.

[FR Doc. E5-2757 Filed 5-31-05; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission****Notice of FERC Staff Attendance at PJM-MISO Joint and Common Market Stakeholder Working Group Meeting**

May 24, 2005.

The Federal Energy Regulatory Commission hereby gives notice that members of its staff may attend the meeting of the PJM Interconnection, LLC-Midwest Independent Transmission System Operator, Inc. (PJM-MISO) stakeholders noted below, where the stakeholders are expected to discuss the implementation of the PJM-MISO joint and common market. The staff's attendance is part of the Commission's ongoing outreach efforts.

PJM-MISO Joint and Common Market Stakeholder Meeting June 2, 2005, 10 a.m.-3 p.m. Wyndham Hotel, 700 King Street, Wilmington, DE 19801, (302) 655-0400.

The discussions may address matters at issue in the following proceedings:

Docket Nos. ER04-106-000, ER04-691-000 and EL04-104-000, *Midwest Independent Transmission System Operator, Inc., et al.*
 Docket No. RT01-87-000, *et al., Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER04-375-000, *Midwest Independent Transmission System Operator, Inc., et al.*
 Docket No. ER02-2595-000, *et al., Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-802-000, *Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-794-000, *Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-809-000, *Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-944-000, *Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-932-000, *Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-752-000, *Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-560, *et al., Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER05-6-000, *et al., Midwest Independent Transmission System Operator, Inc.*
 Docket No. ER03-1312-000, *Midwest Independent Transmission System Operator, Inc.*

Docket No. ER04-458-000, *Midwest Independent Transmission System Operator, Inc.*
 Docket No. EL05-103-000, *Northern Indiana Public Service Co. v. Midwest Independent Transmission System Operator, Inc. and PJM Interconnection L.L.C.*
 Docket No. EL05-82-000, *Alliant Energy Corporation Services, Inc. v. Midwest Independent Transmission System Operator, Inc.*
 Docket No. EL05-51-000, *Wisconsin Public Service Corporation v. Midwest Independent Transmission System Operator, Inc.*
 Docket Nos. EL04-43-000 and EL04-46-000, *Tenaska Power Services Co. and Cargill Power Markets, LLC v. Midwest Independent Transmission System Operator, Inc.*
 Docket No. PL05-7-000, *PJM Interconnection L.L.C.*
 Docket No. ER03-262-000, *PJM Interconnection L.L.C.*
 Docket No. ER04-608-000, *PJM Interconnection L.L.C.*
 Docket No. ER05-626-000, *PJM Interconnection L.L.C.*
 Docket No. ER99-2028-000, *PJM Interconnection L.L.C.*
 Docket No. ER04-457-000, *PJM Interconnection L.L.C.*
 Docket No. ER05-10-000, *PJM Interconnection L.L.C.*
 Docket No. RT01-2-000, *PJM Interconnection L.L.C.*
 Docket No. RT01-98-000, *PJM Interconnection L.L.C.*
 Docket No. EL03-236-000, *PJM Interconnection L.L.C.*
 Docket No. EL04-121-000, *PJM Interconnection L.L.C.*
 Docket No. EL05-60-000, *PJM Interconnection L.L.C.*
 Docket No. ER02-1326-000, *PJM Interconnection L.L.C.*
 Docket No. ER03-1101-000, *PJM Interconnection L.L.C.*
 Docket No. ER04-1068-000, *PJM Interconnection L.L.C.*
 Docket No. ER04-1074-000, *PJM Interconnection L.L.C.*
 Docket No. ER04-521-000, *PJM Interconnection L.L.C.*
 Docket No. ER04-539-000, *PJM Interconnection L.L.C.*
 Docket No. ER04-776-000, *PJM Interconnection L.L.C.*
 Docket No. ER05-106-000, *PJM Interconnection L.L.C.*
 Docket No. ER05-488-000, *PJM Interconnection L.L.C.*
 Docket No. ER05-513-000, *PJM Interconnection L.L.C.*
 Docket No. ER05-515-000, *PJM Interconnection L.L.C.*
 Docket No. ER05-913-000, *PJM Interconnection L.L.C.*

Docket No. ER04-367-000, *PJM Interconnection L.L.C.*

Docket No. EL04-105-000, *PJM Interconnection L.L.C.*

Docket No. ER04-829-000, *PJM Interconnection L.L.C.*

Docket No. EL05-93-000, *PJM Interconnection L.L.C.*

The meeting is open to the public.

For more information, contact Zeny Magos, Office of Markets, Tariffs and Rates, Federal Energy Regulatory Commission at (202) 502-8244 or zeny.magos@ferc.gov.

Magalie R. Salas,
Secretary.

[FR Doc. E5-2760 Filed 5-31-05; 8:45 am]

BILLING CODE 6717-01-P

DEPARTMENT OF ENERGY**Federal Energy Regulatory Commission**

[Docket No. EL05-106-000]

**Bonneville Power Administration
 PacifiCorp; Idaho Power Company;
 Notice of FERC Staff Attendance**

May 24, 2005.

The Federal Energy Regulatory Commission (Commission) hereby gives notice that members of its staff will attend the Proposed Market and Operational Design technical conference and the Regional Representative Group meeting for Grid West on May 25, through May 27, 2005. The meetings will be held at the Portland Airport Sheraton Hotel, located at 8235 NE. Airport Way, Portland, OR 97220.

The meetings are sponsored by the above listed entities and the Regional Representatives Group of Grid West. The conference is open to the public; staff attendance is part of the Commission's ongoing outreach efforts. The meeting may discuss matters at issue in Docket No. EL05-106-000.

For further information, contact David Lengenfelder at david.lengenfelder@ferc.gov, or phone number 202-502-8351.

Magalie R. Salas,
Secretary.

[FR Doc. E5-2759 Filed 5-31-05; 8:45 am]

BILLING CODE 6717-01-P

ENVIRONMENTAL PROTECTION AGENCY

[R06-OAR-2005-TX-0027; FRL-7920-4]

Adequacy Status of Submitted State Implementation Plans (SIP) for Transportation Conformity Purposes: 5% Increment of Progress Motor Vehicle Emissions Budgets for the Dallas-Fort Worth 8-Hour Ozone Nonattainment Area**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of adequacy determination.

SUMMARY: In this action, EPA is notifying the public that we have found the on-road motor vehicle emissions budgets contained in the Dallas-Fort Worth moderate 8-hour ozone nonattainment area 5% Increment of Progress SIP adequate for transportation conformity purposes. As a result of our finding, the budgets from the submitted SIP revision must be used for future conformity determinations in the Dallas-Fort Worth area.

DATES: These budgets are effective June 16, 2005.

FOR FURTHER INFORMATION CONTACT: The essential information in this notice will be available at EPA's conformity website: <http://www.epa.gov/oms/transp/conform/adequacy.htm>. You may also contact Ms. Peggy Wade, Air Planning Section (6PD-L), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733, telephone (214) 665-7247, Email address: Wade.Peggy@epa.gov.

SUPPLEMENTARY INFORMATION:

Throughout this document "we," "us," and "our" refers to EPA. The word "budget(s)" refers to the mobile source emissions budget for volatile organic compounds (VOCs) and the mobile source emissions budget for nitrogen oxides (NO_x). The word "SIP" in this document refers to the State Implementation Plan submitted as a transition SIP between the 1-hour ozone National Ambient Air Quality Standard (NAAQS) and the 8-hour ozone NAAQS, per the option given in 40 CFR 51.905(a)(ii)(B). This transitional SIP is also called the 5% Increment of Progress (IOP) Plan.

On May 17, 2005, we received the 5% IOP SIP for the Dallas-Fort Worth 9-county 8-hour ozone nonattainment area. There are two motor vehicle emissions budgets found in this plan for 2007. The emissions budget for VOCs is 104.14 tons/day; the NO_x emissions budget is 201.32 tons/day. On January 20, 2005, the availability of these

budgets was posted on EPA's website for the purpose of soliciting public comments. A technical error in the budgets was discovered during the review process and they were revised accordingly. An update announcing the availability of the revised MVEBs was posted on April 13, 2005. The comment period closed on May 12, 2005, and we received no comments.

Today's notice is simply an announcement of a finding that we have already made. EPA Region 6 sent a letter to the Texas Commission on Environmental Quality on May 16, 2005, finding that the motor vehicle emissions budgets in the Dallas-Fort Worth 9-county ozone nonattainment area are adequate and must be used for transportation conformity determinations.

Transportation conformity is required by Section 176(c) of the Clean Air Act. EPA's conformity rule, 40 CFR part 93, requires that transportation plans, programs and projects conform to SIPs and establishes the criteria and procedures for determining whether or not they do so. Conformity to a SIP means that transportation activities will not produce new air quality violations, worsen existing violations, or delay timely attainment of the National Ambient Air Quality Standards. The criteria by which EPA determines whether a SIP's motor vehicle emission budgets are adequate for conformity purposes are outlined in 40 CFR 93.118(e)(4). Please note that such an adequacy review is separate from EPA's completeness review, and it should not be used to prejudge EPA's ultimate action on the SIP. Even if we find a budget adequate, the SIP could later be disapproved.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: May 25, 2005.

Richard E. Greene,

Regional Administrator, Region 6.

[FR Doc. 05-10991 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0136; FRL-7717-8]

Nominations to the FIFRA Scientific Advisory Panel; Request for Comments**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: This notice provides the names, addresses, professional affiliations, and selected biographical data of persons nominated to serve on the Scientific Advisory Panel (SAP) established under section 25(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The Panel was created on November 28, 1975, and made a statutory Panel by amendment to FIFRA, dated October 25, 1988. The Agency is, at this time, selecting one new member to serve on the panel as a result of a membership term that will expire this year. Public comment on the nominations is invited, as these comments will be used to assist the Agency in selecting the new chartered Panel member.

DATES: Comments, identified by docket ID number OPP-2005-0136, must be received on or before July 1, 2005.

ADDRESSES: Comments may be submitted electronically (preferred), through hand delivery/courier, or by mail. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION.**

FOR FURTHER INFORMATION CONTACT:

Steven Knott, Assistant Executive Secretary, FIFRA SAP Staff, Office of Science Coordination and Policy (7201M), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460; telephone number: (202) 564-0103; fax number: (202) 564-8382; e-mail addresses: knott.steven@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information****A. Does this Action Apply to Me?**

This action is directed to the public in general. This action may, however, be of interest to persons who are or may be required to conduct testing of chemical substances under the Federal Food, Drug, and Cosmetic Act (FFDCA), FIFRA, and the Food Quality Protection Act of 1996 (FQPA). Since other entities may also be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action

to a particular entity, consult the DFO listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2005-0136. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4:00 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, to access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any

of the publicly available docket materials through the docket facility identified in Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or on paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments in hard copy that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

C. How and To Whom Do I Submit Comments?

You may submit comments electronically (preferred), through hand delivery/courier, or by mail. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the

comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2005-0136. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID Number OPP-2005-0136. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you deliver as described in Unit I.C.2 or mail to the address provided in Unit I.C.3. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2005-0136. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

3. *By mail.* Due to potential delays in EPA's receipt and processing of mail,

respondents are strongly encouraged to submit comments either electronically or by hand delivery or courier. We cannot guarantee that comments sent via mail will be received prior to the close of the comment period. If mailed, please send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2005-0136.

II. Background

Amendments to FIFRA enacted November 28, 1975, include a requirement under section 25(d) that notices of intent to cancel or reclassify pesticide registrations pursuant to section 6(b)(2), as well as proposed and final forms of regulations pursuant to section 25(a), be submitted to a Scientific Advisory Panel prior to being made public or issued to a registrant. In accordance with section 25(d), the Scientific Advisory Panel is to have an opportunity to comment on the health and environmental impact of such actions. The Panel shall also make comments, evaluations, and recommendations for operating guidelines to improve the effectiveness and quality of analyses made by Agency scientists.

In accordance with the statute, the SAP is composed of a permanent panel of seven members, selected and appointed by the Deputy Administrator of EPA from nominees submitted by both the National Science Foundation and the National Institutes of Health. The Agency is, at this time, selecting one new member to serve on the panel as a result of a membership term that will expire this year. The Agency requested nominations of experts to be selected from the field of toxicology (especially animal studies used in human health risk assessment). Nominees should be well published and current in their fields of expertise. The statute further stipulates that we publish the name, address, professional affiliation, and a brief biographical sketch of each nominee in the Federal Register and solicit public comments regarding the candidates nominated.

III. Charter

A Charter for the FIFRA Scientific Advisory Panel dated October 25, 2004 was issued in accordance with the requirements of the Federal Advisory Committee Act, Public Law 92-463, 86 Stat. 770 (5 U.S.C. App. I).

A. Qualifications of Members

Members are scientists who have sufficient professional qualifications, including training and experience, to be capable of providing expert comments as to the impact on health and the environment of regulatory actions under sections 6(b) and 25(a) of FIFRA. No persons shall be ineligible to serve on the Panel by reason of their membership on any other advisory committee to a Federal department or agency or their employment by a Federal department or agency (except the EPA). The Deputy Administrator appoints individuals to serve on the Panel for staggered terms of 4 years. Panel members are subject to the provisions of 40 CFR part 3, subpart F, Standards of Conduct for Special Government Employees, which include rules regarding conflicts of interest. Each nominee selected by the Deputy Administrator, before being formally appointed, is required to submit a confidential statement of employment and financial interests, which shall fully disclose, among other financial interests, the nominee's sources of research support, if any.

In accordance with section 25(d) of FIFRA, the Deputy Administrator shall require all nominees to the Panel to furnish information concerning their professional qualifications, educational background, employment history, and scientific publications. The Agency is required to publish in the Federal Register the name, address, and professional affiliations of each nominee and to seek public comment on the nominees.

B. Applicability of Existing Regulations

With respect to the requirements of section 25(d) of FIFRA that the Administrator promulgate regulations regarding conflicts of interest, the Charter provides that EPA's existing regulations applicable to Special Government Employees, which include advisory committee members, will apply to the members of the Scientific Advisory Panel. These regulations appear in 40 CFR part 3, subpart F. In addition, the Charter provides for open meetings with opportunities for public participation.

C. Process of Obtaining Nominees

In accordance with the provisions of section 25(d) of FIFRA, EPA, in February 2005, requested the National Institutes of Health (NIH) and the National Science Foundation (NSF) to nominate scientists to fill one vacancy occurring on the Panel. The Agency requested nominations of experts in the field of toxicology (especially animal

studies used in human health risk assessment). NIH and NSF responded by letter, providing the Agency with a total of 11 nominees. Copies of these letters, with the listed nominees, are available in the public docket referenced in unit I.B.1. of this notice. Six of the 11 nominees are interested and available to actively participate in SAP meetings.

IV. Nominees

The following are the names, addresses, professional affiliations, and selected biographical data of nominees being considered for membership on the FIFRA Scientific Advisory Panel. The Agency will select one of the nominees to fill a vacancy occurring this year.

1. *Nominee.* Blumberg, Bruce, Ph.D., Associate Professor, Departments of Developmental and Cell Biology and Biomedical Engineering, University of California, Irvine, CA.

i. *Expertise.* Molecular endocrinology, developmental biology.

ii. *Education.* A.B., Biology, Rutgers University; Ph.D., Biology, University of California, Los Angeles.

iii. *Professional Experience.* Dr. Bruce Blumberg is Associate Professor of Developmental and Cell Biology with a joint appointment in Biomedical Engineering at the University of California, Irvine (UCI). He received the Ph.D. from the University of California, Los Angeles in 1987 in Biology and completed postdoctoral fellowships at the University of Medicine and Dentistry of New Jersey (biochemistry) and at the University of California, Los Angeles Medical School (biochemistry, embryology). He joined the Gene Expression Laboratory headed by Dr. Ronald M. Evans at the Salk Institute as a Staff Scientist in 1992. While at Salk, Dr. Blumberg led the effort to identify ligands for orphan nuclear receptors and was codiscoverer of the steroid and xenobiotic receptor, SXR, which is the key mediator of the vertebrate response to many hormonally active dietary and xenobiotic compounds. He joined the faculty at the University of California, Irvine in 1998 and has an active research program funded by the EPA, DOD, and NIH to examine the role of nuclear hormone receptors in development and disease. His teaching responsibilities at UCI include undergraduate and graduate courses in genomics and the regulation of gene expression. Dr. Blumberg is the director of the UCI Cancer Center Program in the Developmental Biology of Cancer and the Program Leader for Functional Genomics in the UCI Institute for Genomics and Bioinformatics.

2. *Nominee.* Bucher, John, Ph.D., Deputy Director, Environmental

Toxicology Program, National Institute of Environmental Health Sciences, National Institutes of Health, Research Triangle Park, NC.

i. *Expertise.* Toxicology, chronic rodent bioassays.

ii. *Education.* B.A., Biology, Knox College; M.S., Biochemistry, University of North Carolina at Chapel Hill; Ph.D., Pharmacology, University of Iowa.

iii. *Professional Experience.* Dr. John Bucher is Deputy Director of the Environmental Toxicology Program and Chief of the Toxicology Operations Branch, Environmental Toxicology Program, National Institute of Environmental Health Sciences (NIEHS), National Institutes of Health. He received his Ph.D. in Pharmacology from the University of Iowa in 1981 and was then an NIH Postdoctoral Fellow in the Department of Biochemistry and Center for Environmental Toxicology at Michigan State University. In 1983, he joined the NIEHS as a staff toxicologist working with the National Toxicology Program (NTP). Dr. Bucher's research interests include characterization of the toxic and carcinogenic potential of a wide variety of substances of interest to the NTP. He has expertise in issues relating to the design and interpretation of chronic rodent bioassays, including technical and policy matters. Other research interests include examination of strategies to characterize the toxicity and carcinogenicity of chemicals using non-traditional methods, such as genetically modified mice, and the development of noninvasive techniques, such as assessment of expired breath volatiles, in chemical toxicity studies. Recently he initiated studies to examine the novel toxicities of manufactured nanomaterials. At the NIEHS, Dr. Bucher has administrative oversight for the NTP Toxicology and Carcinogenesis Testing Programs, the NTP Report on Carcinogens, and NIEHS activities associated with the Interagency Coordinating Committee for the Validation of Alternative Methods. Dr. Bucher has served in an advisory capacity to the FDA, EPA, NIOSH, WHO (IPCS and IARC) among others.

3. *Nominee.* Cory-Slechta, Deborah, Ph.D., Director, Environmental and Occupational Health Sciences Institute, A joint institute of the Robert Wood Johnson Medical School, University of Medicine and Dentistry of New Jersey and Rutgers University, Piscataway, NJ.

i. *Expertise.* Neurotoxicology, behavioral toxicology.

ii. *Education.* B.S. (magna cum laude), Psychology, Western Michigan University; M.A. (with honors), Experimental Psychology, Western Michigan University; Ph.D.,

Experimental Psychology, University of Minnesota.

iii. *Professional Experience.* Dr. Deborah Cory-Slechta is the Director of The Environmental and Occupational Health Sciences Institute (EOHSI) as well as the Chair of the Department of Environmental and Occupational Medicine at the UMDNJ-Robert Wood Johnson Medical School. She received her Ph.D. degree from the University of Minnesota in 1977 and worked as a junior staff fellow at the National Center for Toxicological Research before moving to the University of Rochester in 1979. She subsequently served as Chair of the Department of Environmental Medicine and Director of the NIEHS Environmental Health Sciences Center and Dean for Research and Director of the Aab Institute for Biomedical Sciences at the University of Rochester. Dr. Cory-Slechta has served on numerous national research review and advisory panels, including committees of the National Institutes of Health, the National Institute of Environmental Health Sciences, the Food and Drug Administration, the National Center for Toxicological Research, the Environmental Protection Agency, the National Academy of Sciences, the Institute of Medicine, and the Agency for Toxic Substances and Disease Registry, Centers for Disease Control and Prevention. In addition, Dr. Cory-Slechta has served on the editorial boards of the journals Neurotoxicology, Toxicology, Toxicological Sciences, Fundamental and Applied Toxicology, Neurotoxicology and Teratology, and American Journal of Mental Retardation. She has held the elected positions of President of the Neurotoxicology Specialty Section of the Society of Toxicology, President of the Behavioral Toxicology Society, and been named a Fellow of the American Psychological Association. Her research has focused largely on the relationships between neurotransmitter systems and behavior, and how such relationships are altered by exposures to environmental toxicants, particularly the role of environmental neurotoxicants in developmental disabilities and neurodegenerative diseases. These research efforts have resulted in over 100 papers and book chapters to date.

4. *Nominee.* Klaunig, James, Ph.D., Director, Division of Toxicology, Department of Pharmacology and Toxicology, Indiana University School of Medicine, Indianapolis, IN.

i. *Expertise.* Toxicology, carcinogenesis, mode of action.

ii. *Education.* B.S., Biology, Ursinus College; M.A., Biology, Montclair State University; Ph.D., Experimental

Pathology/Toxicology, University of Maryland School of Medicine.

iii. *Professional Experience.* Dr. James E. Klaunig is Professor and Director of Toxicology in the Department of Pharmacology and Toxicology at Indiana University School of Medicine. He also serves as the Program Director of the Molecular Carcinogenesis Program for the Indiana University Cancer center. He received his B.S. degree from Ursinus College in Collegeville Pa., an M.A. from Montclair State University, Montclair, NJ, and his Ph.D. from the University of Maryland in Baltimore, MD. He is a Fellow of the Academy of Toxicological Sciences and serves on its Board of Directors. He has received numerous awards including the Otis R. Bowen, Distinguished Leadership Award, Indiana University School of Medicine, the Indiana University Trustee Teaching Excellence Award, the Kenneth P. DuBois Award from the Midwest Society of Toxicology (SOT) and the Sagamore of the Wabash from the Governor of Indiana for service to the State. He recently stepped down as Associate Editor of Toxicological Sciences and is currently the Editor in Chief of Toxicologic Pathology. He has served as a Member of the NIH/NIEHS National Toxicology Program Board of Scientific Counselors and is currently a Member of the USEPA SAB. He also has served as President of the Carcinogenesis Specialty Section, President of the Ohio Valley SOT, Member and Chair of the SOT Education Committee, and Member of the Finance and Program Committees of the SOT. He was recently the Treasurer as well as a member of the Executive Council of the SOT. He also served the State of Indiana as the Director of Toxicology and the State Toxicologist from 1991 to 2003 as well as service on the Indiana Pesticide Review Board, the Governor's Council on Impaired and dangerous driving and on the Indiana Controlled Substances Advisory Board. He has trained over 50 graduate students and postdoctoral fellows and has published over 170 peer reviewed manuscripts. His research interests are dedicated to understanding the mechanisms of chemically induced carcinogenesis, specifically the mode of action of nongenotoxic carcinogens, role of oxidative stress in carcinogenesis and cell injury, and understanding of the multistage nature of the cancer process.

5. *Nominee.* Maglia, Anne, Ph.D., Assistant Professor, Department of Biological Sciences, University of Missouri-Rolla, Rolla, MO.

i. *Expertise.* Developmental biology, bioinformatics, animal ecology.

ii. *Education.* B.S., Zoology, Ohio University; M.S., Biological Science, East Tennessee State University; Ph.D., Ecology and Evolutionary Biology, University of Kansas.

iii. *Professional Experience.* Dr. Anne Maglia is an assistant professor in the Department of Biological Sciences and an investigator in the Environmental Research Center for Emerging Contaminants at the University of Missouri-Rolla. She received her Ph.D. in Biological Sciences from the University of Kansas in 2000, and subsequently completed a postdoctoral fellowship in Bioinformatics at the University of Kansas. Dr. Maglia has an active research program in amphibian developmental biology, including studies on the effects of environmental contaminants on frog developmental processes and population viability. In addition, she and a colleague have developed an online database of interactive 3D visualizations of animal anatomy that is being used to compare normal and malformed anatomies. Her teaching responsibilities at the University of Missouri-Rolla include graduate and undergraduate courses in developmental biology, comparative anatomy, and bioinformatics. Dr. Maglia has served on the Board of Directors of the MidSouth Computational Biology and Bioinformatics Society and is the director of a regional amphibian population monitoring program in conjunction with the Missouri Department of Conservation.

6. *Nominee.* Relyea, Rick, Ph.D., Assistant Professor, Department of Biological Sciences, University of Pittsburgh, Pittsburgh, PA.

i. *Expertise.* Aquatic ecology, ecotoxicology.

ii. *Education.* B.S., Environmental and Forest Biology, State University of New York; M.S., Wildlife Science, Texas Tech University; Ph.D., Biology, University of Michigan.

iii. *Professional Experience.* Dr. Rick Relyea is an Assistant Professor at the University of Pittsburgh where he teaches undergraduate and graduate courses in ecology. He received his Ph.D. from the University of Michigan in 1998 and subsequently performed post-doctoral work at the University of Missouri-Columbia where he conducted research in aquatic toxicology. During his six years at the University of Pittsburgh, Dr. Relyea has emerged as a world leader in the study of aquatic ecology and ecotoxicology. He has an active research program funded through the National Science Foundation, spanning the range from controlled, laboratory experiments to natural wetlands. His areas of research include:

(1) Long-term research on the biodiversity of aquatic ecosystems, (2) the impacts of stress on animal performance, and (3) the effects of pesticides on aquatic organisms and communities. From 2001–2005, he published 30 articles in top-tier scientific journals and his research has received coverage in the popular press, including *American Scientist* and *Science*. Based on his highly productive research program and empirical discoveries, Dr. Relyea was named the Chancellor's Distinguished Researcher at the University of Pittsburgh in 2005.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: May 23, 2005.

Clifford J. Gabriel,

Director, Office of Science Coordination and Policy.

[FR Doc. 05–10763 Filed 5–31–05; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7920–2]

Announcement of the Board of Trustees for the National Environmental Education and Training Foundation, Inc.

Summary: The National Environmental Education and Training Foundation was created by section 10 of Public Law 101–619, the National Environmental Education Act of 1990. It is a private 501(c)(3) non-profit organization established to promote and support education and training as necessary tools to further environmental protection and sustainable, environmentally sound development. It provides the common ground upon which leaders from business and industry, all levels of government, public interest groups, and others can work cooperatively to expand the reach of environmental education and training programs beyond the traditional classroom. The Foundation supports a grant program that promotes innovative environmental education and training programs; it also develops partnerships with government and other organizations to administer projects that promote the development of an environmentally literate public.

The Administrator of the U.S. Environmental Protection Agency, as required by the terms of the Act, announces the following appointments to the National Environmental Education and Training Foundation,

Inc. Board of Trustees. The appointees are Holly Cannon, a principal of the law firm Bevedridge & Diamond; and Raymond J. Ban, Executive Vice President, meteorology Science and Strategy, The Weather Channel, Inc. These appointees will join the current Board members which include:

- Braden Allenby, Vice President, Environment, Health and Safety, AT&T.
- Richard Bartlett, (NEETF Chairman) Vice Chairman, Mary Kay Holding Corporation.
- Dorothy Jacobson, Consultant
- Karen Bates Kress, President, KBK Consulting, Inc.
- Dorothy McSweeney, (NEETF Vice Chair), Chair, DC Commission on the Arts and Humanities.
- Honorable William Sessions, former Director of the Federal Bureau of Investigation.

Additional Considerations: Great care has been taken to assure that these new appointees not only have the highest degree of expertise and commitment, but also brings to the Board diverse points of view relating to environmental education and training. These appointments shall be for two consecutive four year terms.

For Further Information Contact: C. Michael Baker, Acting Director, Office of Environmental Education, Office of Public Affairs (1704A) U.S. EPA 1200 Pennsylvania Ave., NW., Washington, DC 20460.

Dated: May 25, 2005.

Stephen L. Johnson,
Administrator.

Biographies of New Members

Raymond J. Ban

Mr. Raymond Ban is Executive Vice President of the Meteorology Science and Strategy group at The Weather Channel, Inc. (TWC), which is responsible for the meteorological quality and integrity of all TWC's products and services, and for growing TWC's relationships with the weather community across the entire weather and climate enterprise.

He has been an active member of the American Meteorological Society (AMS) for over 30 years and was named a Fellow of the AMS in 1997. He holds both the Television Seal of Approval and Radio Seal of Approval from the Society. He recently completed six years in serving as Commissioner on Professional Affairs for the AMS. In 1996, he was named a Centennial Fellow of Penn State's College of Earth and Mineral Sciences. In 1998, he was named an Alumni Fellow of Penn State University, which recognizes the university's most outstanding alumni

each year. Mr. Ban served on the Board of Atmospheric Science and Climate of the National Academy of Sciences from 2001–2004. He has also served as a member of the Inter-Governmental Working Group of the United States Weather Research Program and as President of the Alumni Board of the College of Earth and Mineral Sciences at Penn State.

Additionally, Mr. Ban is currently a member of the advisory board to the National Center for Atmospheric Research and the Societal Impacts Program and serves on The Board of Visitors of The College of Geosciences at the University of Oklahoma. He is Co-Chair of The Weather Coalition, an advocacy group that brings together industry, state and local governments, and academia in an organized effort to urge Congress and the Executive Branch to fund a national initiative to expand research collaborations between these groups and federal agencies in the area of mesoscale observations and predictions.

Mr. Ban graduated from the Pennsylvania State University in 1973 with a B.S. in Meteorology.

Holly Cannon

Holly Cannon is a principal of the law firm Beveridge & Diamond, P.C., and has been an attorney with the firm since 1981. She served as Managing Director from 1996 through 2001. Beveridge & Diamond, P.C. is a law firm of more than 85 attorneys in seven offices across the United States, with a nationwide practice that is focused on all aspects of environmental law and civil and criminal litigation.

As Managing Director, Ms. Cannon acted as chairman of the firm's management committee and chief executive officer of the law firm, with overall responsibility for supervision, direction and control of the firm's business. During her more than five-year term, Ms. Cannon restructured the firm's management committee, developed and implemented a three year strategic plan with financial performance goals that were achieved, and opened two new offices. She oversaw an increase in firm revenues by approximately one-third with a comparable increase in net profits.

In addition to her experience as the firm's Managing Director, Ms. Cannon has more than twenty years of experience in the private practice of law. Her legal practice focuses on environmental transactions and general environmental and corporate counseling. She regularly assists parties involved in corporate and real estate transactions to structure transactions in

a manner that reflects the appropriate allocation of existing and potential environmental liabilities. She advises clients on environmental insurance matters, including environmental insurance products available for contaminated property transactions. In addition, she has assisted clients in establishing and evaluating their own environmental management systems to ensure that corporate-wide compliance is maintained.

She also has served as outside general counsel to both public and privately held corporate clients. Her work on general corporate matters includes both counseling and transactional matters, and she has extensive experience handling acquisitions and divestitures of stock and assets, with particular emphasis on environmentally sensitive industry segments. She served as a member of the Board of Directors of Resource Recycling Technologies, Inc., a former publicly held company engaged in solid waste materials management activities, including the design, construction and operation of material recycling facilities.

Combining her corporate and environmental backgrounds, she regularly assists business entities with public reporting obligations associated with existing and potential environmental liabilities, including work with a number of publicly-held companies on periodic environmental reporting required by the Securities and Exchange Commission. She has lectured on several occasions on the SEC's environmental reporting obligations, has addressed groups of corporate officials on environmental disclosure and related issues relevant to accountants and other corporate finance officials, and has published articles on these and similar topics.

Ms. Cannon graduated from the University of Alabama in 1978 with a B.S. in Management, summa cum laude, and received her law degree from Georgetown University, cum laude, in 1981.

[FR Doc. 05–10852 Filed 5–31–05; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

[Docket No. FRL–7919–6]

Meeting of the Ozone Transport Commission

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of meeting.

SUMMARY: The United States Environmental Protection Agency is announcing the 2005 Annual Meeting of the Ozone Transport Commission (OTC). This OTC meeting will explore options available for reducing ground-level ozone precursors in a multi-pollutant context.

DATES: The meeting will be held on June 7, 2005 starting at 1 p.m. and June 8, 2005 at 9 a.m.

ADDRESSES: Wyndham Burlington Hotel, 60 Battery Street, Burlington, VT 05401; 802–859–5004.

FOR FURTHER INFORMATION CONTACT:

Marcia L. Spink, Associate Director, Air Protection Division, U.S. Environmental Protection Agency, Region III, 1650 Arch Street, Philadelphia, PA 19103; (215) 814–2100. For documents and press inquiries contact: Ozone Transport Commission, 444 North Capitol Street NW., Suite 638, Washington, DC 20001; (202) 508–3840; e-mail: ozone@otcair.org; Web site: <http://www.otcair.org>.

SUPPLEMENTARY INFORMATION: The Clean Air Act Amendments of 1990 contain at section 184 provisions for the “Control of Interstate Ozone Air Pollution.” Section 184(a) establishes an “Ozone Transport Region” (OTR) comprised of the States of Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, parts of Virginia and the District of Columbia. The purpose of the Ozone Transport commission is to deal with ground-level ozone formation, transport, and control within the OTR. The purpose of this notice is to announce that the OTC will meet on June 7–8, 2005 at the address noted earlier in this notice. This meeting will explore options available for reducing ground-level ozone precursors in a multi-pollutant context. Section 176A(b)(2) of the Clean Air Act Amendments of 1990 specifies that the meeting of the Ozone Transport Commission is not subject to the provisions of the Federal Advisory Committee Act. This meeting will be open to the public as space permits.

Type of Meeting: Open.

Agenda: Copies of the final agenda will be available from the OTC office (202) 508–3840; by e-mail: ozone@otcair.org or via the OTC Web site at <http://www.otcair.org>.

Dated: May 20, 2005.

Andrew Carlin,
Special Assistant, Acting Regional Administrator, Region III.

[FR Doc. 05–10850 Filed 5–31–05; 8:45 am]

BILLING CODE 6560–50–M

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0072; FRL-7716-3]

EBDC Fungicides Mancozeb, Maneb, and Metiram; Notice of Receipt of Requests to Voluntarily Cancel, Amend, or Terminate Uses of Certain Pesticide Registrations**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice.

SUMMARY: In accordance with section 6(f)(1) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, EPA is issuing a notice of receipt of requests by the registrants to voluntarily amend their registrations to terminate certain uses of products containing the pesticides mancozeb, maneb, and metiram. The requests would terminate mancozeb uses in or on residential lawns/turf, foliar application to cotton, and pineapple seed propagation treatment; maneb use on residential lawns/turf; and metiram use on roses. EPA intends to grant these requests at the close of the comment period for this announcement unless the Agency receives substantive comments within the comment period that would merit its further review of the requests, or unless the registrants withdraw their requests within this period. Upon acceptance of these requests, any sale, distribution, or use of products listed in this notice will be permitted only if such sale, distribution, or use is consistent with the terms as described in the final order.

DATES: Comments, identified by docket ID number OPP-2005-0072, must be received on or before August 1, 2005.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: For mancozeb, Christina Scheltema, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-2201; fax number: (703) 308-8005; e-mail address: scheltema.christina@epa.gov.

For maneb and metiram, Tawanda Spears, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-

8050; fax number: (703) 308-8005; e-mail address: spears.tawanda@epa.gov.

SUPPLEMENTARY INFORMATION:**I. General Information***A. Does this Action Apply to Me?*

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale, distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPP-2005-0072. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA’s electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Once in the system, select “search,” then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA’s electronic public docket. EPA’s policy is that copyrighted material will not be placed in EPA’s electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA’s electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA’s electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA’s electronic public docket.

For public commenters, it is important to note that EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA’s electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA’s electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA’s electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA’s electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA’s electronic public docket along with a brief description written by the docket staff.

C. How and To Whom Do I Submit Comments?

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on

the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2005-0072. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID Number OPP-2005-0072. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is

placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2005-0072.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2005-0072. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.
7. Make sure to submit your comments by the comment period deadline identified.
8. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

II. Background on the Receipt of Requests to Terminate Certain Uses for the EBDC Pesticides Mancozeb, Maneb, and Metiram

This notice announces receipt by EPA of requests from the registrants BASF, Cerexagri, Dow AgroSciences, and Griffin LLC to amend to terminate certain uses of 17 mancozeb product registrations, 3 maneb product registrations, and 1 metiram registration (Tables 1-3). These pesticides are broad spectrum ethylenbis(dithiocarbamate) (EBDC) fungicides used on a variety of agricultural crops, ornamentals, and turf. In letters dated April 18, 2005, Cerexagri, Dow AgroSciences, and Griffin LLC have requested that EPA terminate the uses of mancozeb on residential lawns/turf, foliar application to cotton, and pineapple propagation (seed piece treatment). The registrants named above are no longer supporting these uses and wish to have them removed from product labels. However, these three registrants are retaining some mancozeb turf uses, specifically, use on sod farms, seed farms, golf courses, professionally managed college and professional sports fields, and industrial and commercial lawns. Further, in a letter dated April 18, 2005, Cerexagri has requested that EPA terminate use of maneb on residential lawns/turf and remove this use from product labels. This registrant intends to retain use of maneb on sod farms. Last, in a letter dated March 14, 2005, BASF has requested that EPA terminate use of metiram on roses.

III. What Action is the Agency Taking?

This notice announces receipt by EPA of requests from registrants to amend mancozeb, maneb, and metiram product registrations to terminate uses. The affected products and the registrants making the requests are identified in Tables 1–4 of this unit.

Under section 6(f)(1)(A) of FIFRA, registrants may request, at any time, that their pesticide registrations be canceled or amended to terminate one or more pesticide uses. Section 6(f)(1)(B) of FIFRA requires that before acting on a request for voluntary cancellation, EPA

must provide at minimum a 30-day public comment period on the request for voluntary cancellation or use termination. In addition, section 6(f)(1)(C) of FIFRA requires that EPA provide a 180-day comment period on a request for voluntary cancellation or termination of any minor agricultural use before granting the request, unless:

1. The registrants request a waiver of the comment period, or
2. The Administrator determines that continued use of the pesticide would pose an unreasonable adverse effect on the environment.

Each of the mancozeb, maneb, and metiram registrants have requested that EPA waive the 180-day comment period, and provide either a 30 or 60 day comment period, in their letters. For consistency, EPA will provide a 60-day comment period on the proposed requests.

Unless a request is withdrawn by the registrant within 60 days of publication of this notice, or if the Agency determines that there are substantive comments that warrant further review of this request, an order will be issued amending the affected registrations.

TABLE 1.—MANCOZEB PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR DELETION OF CERTAIN USES

| Registration No. | Product Name | Uses Proposed for Deletion |
|------------------|--|---|
| 4581-357 | Penncozeb Turf and Ornamentals Fungicide | residential lawns/turf |
| 4581-358 | Penncozeb 80WP | cotton (foliar application), pineapple propagation |
| 4581-370 | Penncozeb 75DF | cotton (foliar application), pineapple propagation |
| 4581-394 | Penncozeb 4FL Flowable Fungicide | cotton (foliar application), pineapple propagation, residential lawns/turf |
| 62719-387 | Dithane M45 | cotton (foliar application), pineapple propagation |
| 62719-388 | Fore 80WP Rainshield | residential lawns/turf |
| 62719-396 | Dithane F-45 Rainshield | cotton (foliar application), pineapple propagation |
| 62719-398 | Dithane M-45 Flowable M | cotton (foliar application), pineapple propagation, residential lawns/turf |
| 62719-401 | Dithane DF70 | cotton (foliar application), pineapple propagation, residential lawns/turf |
| 62719-402 | Dithane DF Rainshield | cotton (foliar application), pineapple propagation |
| 62719-418 | RH-0611 WP | residential lawns/turf |
| 62719-422 | Fore WSP T & O Fungicide | residential lawns/turf |
| 62719-423 | Dithane WSP Agricultural Fungicide | cotton (foliar application), pineapple propagation, residential lawns/turf |
| 1812-360 | ManKocide/Junction | residential lawns/turf |
| 1812-414 | Manzate 75DF/Pentathlon DF | cotton (foliar application), residential lawns/turf |
| 1812-415 | Manzate 80WP | cotton (foliar application), pineapple seed piece treatment, residential lawns/turf |
| 1812-416 | Manzate Flowable/Pentathlon LF | cotton (foliar application), residential lawns/turf |

TABLE 2.—MANEB PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR USE DELETIONS

| Registration No. | Product Name | Uses Proposed for Deletion |
|------------------|----------------------|----------------------------|
| 4581-255 | Maneb 80WP Fungicide | residential lawns/turf |
| 4581-359 | Maneb 4FL | residential lawns/turf |

TABLE 2.—MANEB PRODUCT REGISTRATIONS WITH PENDING REQUESTS FOR USE DELETIONS—Continued

| Registration No. | Product Name | Uses Proposed for Deletion |
|------------------|-----------------------------------|----------------------------|
| 4581-371 | Maneb 75DF Dry Flowable Fungicide | residential lawns/turf |

TABLE 3.—METIRAM PRODUCT REGISTRATION WITH PENDING REQUEST FOR USE DELETION

| Registration No. | Product Name | Uses Proposed for Deletion |
|------------------|------------------------|----------------------------|
| 7969-105 | Polyram 80DF Fungicide | Roses |

Table 4 of this unit includes the names and addresses of record for the registrants of the products listed in Tables 1–3 of this unit.

TABLE 4.—REGISTRANTS REQUESTING USE DELETIONS

| EPA Company No. | Company Name and Address |
|-----------------|---|
| 1812 | Griffin LLC, P.O. BOX 30, Newark, DE 19714 |
| 4581 | Cerexagri Inc., 630 Freedom Business Center, King of Prussia, PA 19406 |
| 7969 | BASF Corporation Agricultural Products, P.O. BOX 13528, Research Triangle Park, NC 27709-3528 |
| 62719 | Dow AgroSciences, 9330 Zionsville Rd, Indianapolis, IN 46268 |

IV. What is the Agency's Authority for Taking this Action?

Section 6(f)(1) of FIFRA provides that a registrant of a pesticide product may at any time request that any of its pesticide registrations be canceled or amended to terminate one or more uses. FIFRA further provides that, before acting on the request, EPA must publish a notice of receipt of any such request in the **Federal Register**. Thereafter, following the public comment period, the Administrator may approve such a request.

V. Procedures for Withdrawal of Request and Considerations for Certain Reregistration of Mancozeb, Maneb, and Metiram

Registrants who choose to withdraw a request for cancellation must submit such withdrawal in writing to the person listed under **FOR FURTHER INFORMATION CONTACT**, postmarked

before 60 days after date of publication in the **Federal Register**. This written withdrawal of the request for cancellation will apply only to the applicable FIFRA section 6(f)(1) request listed in this notice. If the product(s) have been subject to a previous cancellation action, the effective date of cancellation and all other provisions of any earlier cancellation action are controlling.

VI. Provisions for Disposition of Existing Stocks

If the request for use termination is granted as discussed above, the Agency intends to issue a cancellation order that will allow the registrant to continue to sell and distribute existing stocks of products bearing old labeling for 18 months after the date of the use termination order. Persons other than the registrant to continue to sell and/or use existing stocks of products bearing old labeling until such stocks are exhausted, provided that such use is consistent with the terms of the previously approved labeling on, or that accompanied, the cancelled product. The order will specifically prohibit any use of existing stocks that is not consistent with such previously approved labeling. If, as the Agency currently intends, the final cancellation order contains the existing stocks provision just described, the order will be sent only to the affected registrants of the cancelled products. If the Agency determines that the final cancellation order should contain existing stocks provisions different than the ones just described, the Agency will publish the cancellation order in the **Federal Register**.

List of Subjects

Environmental protection, Pesticides and pests, EBDCs, Mancozeb, Maneb, Metiram.

Dated: May 18, 2005.

Susan Lewis,

Acting Director, Special Review and Reregistration Division, Office of Pesticide Programs.

[FR Doc. 05–10577 Filed 5–31–05; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[OPP–2004–0283; FRL–7712–3]

Nitrapyrin Reregistration Eligibility Decision; Notice of Availability

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the availability of EPA's Reregistration Eligibility Decision (RED) for the pesticide nitrapyrin [2-chloro-6-(trichloromethyl)pyridine], and opens a public comment period on this document. The Agency's risk assessments and other related documents also are available in the nitrapyrin Docket. Nitrapyrin is a nitrification inhibitor, and is used on corn, sorghum, and wheat. EPA has reviewed nitrapyrin through the public participation process that the Agency uses to involve the public in developing pesticide reregistration and tolerance reassessment decisions. Through these programs, EPA is ensuring that all pesticides meet current health and safety standards.

DATES: Comments, identified by docket ID number OPP–2004–0283, must be received on or before August 1, 2005.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Stephanie Plummer, Special Review and Reregistration Division (7508C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460–0001; telephone number: (703) 305–0076; fax number: (703) 308–7042; e-mail address: plummer.stephanie@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

This action is directed to the public in general, and may be of interest to a wide range of stakeholders including environmental, human health, and agricultural advocates; the chemical industry; pesticide users; and members of the public interested in the sale,

distribution, or use of pesticides. Since others also may be interested, the Agency has not attempted to describe all the specific entities that may be affected by this action. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket identification (ID) number OPP-2004-0283. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although, a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

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docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

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1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include

your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also, include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

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ii. *E-mail.* Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID Number OPP-2004-0283. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP),

Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID number OPP-2004-0283.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID number OPP-2004-0283. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at your estimate.
5. Provide specific examples to illustrate your concerns.
6. Offer alternatives.

7. Make sure to submit your comments by the comment period deadline identified.

8. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your response. It would also be helpful if you provided the name, date, and **Federal Register** citation related to your comments.

II. Background

A. What Action is the Agency Taking?

Under section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is reevaluating existing pesticides to ensure that they meet current scientific and regulatory standards. EPA has completed a Reregistration Eligibility Decision (RED) for the pesticide nitrophenol under section 4(g)(2)(A) of FIFRA. Nitrophenol is a nitrification inhibitor, and is used on corn, sorghum, and wheat. EPA has determined that the database to support reregistration is substantially complete and that products containing nitrophenol are eligible for reregistration, provided the risks are mitigated in the manner described in the RED. Upon submission of any required product specific data under section 4(g)(2)(B) and any necessary changes to the registration and labeling (either to address concerns identified in the RED or as a result of product specific data), EPA will make a final reregistration decision under section 4(g)(2)(C) for products containing nitrophenol.

EPA must review tolerances and tolerance exemptions that were in effect when the Food Quality Protection Act (FQPA) was enacted in August 1996, to ensure that these existing pesticide residue limits for food and feed commodities meet the safety standard established by the new law. Tolerances are considered reassessed once the safety finding has been made or a revocation occurs. EPA has reviewed and made the requisite safety finding for the nitrophenol tolerances included in this notice.

EPA is applying the principles of public participation to all pesticides undergoing reregistration and tolerance reassessment. The Agency's Pesticide Tolerance Reassessment and Reregistration; Public Participation Process, published in the **Federal Register** on May 14, 2004, (69 FR 26819)(FRL-7357-9) explains that in conducting these programs, EPA is tailoring its public participation process to be commensurate with the level of risk, extent of use, complexity of issues, and degree of public concern associated with each pesticide. Due to its uses,

risks, and other factors, nitrophenol was reviewed through the modified 4-Phase process. Through this process, EPA worked extensively with stakeholders and the public to reach the regulatory decisions for nitrophenol.

The reregistration program is being conducted under Congressionally mandated time frames, and EPA recognizes the needs to both make timely decisions and involve the public. The Agency is issuing the nitrophenol RED for public comment. This comment period is intended to provide an additional opportunity for public input and a mechanism for initiating any necessary amendments to the RED. All comments should be submitted using the methods in Unit I. of the **SUPPLEMENTARY INFORMATION**, and must be received by EPA on or before the closing date. These comments will become part of the Agency Docket for nitrophenol. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments.

The Agency will carefully consider all comments received by the closing date and will provide a Response to Comments Memorandum in the Docket and electronic EDOCKET. If any comment significantly affects the document, EPA also will publish an amendment to the RED in the **Federal Register**. In the absence of substantive comments requiring changes, the nitrophenol RED will be implemented as it is now presented.

B. What is the Agency's Authority for Taking this Action?

Section 4(g)(2) of FIFRA as amended directs that, after submission of all data concerning a pesticide active ingredient, "the Administrator shall determine whether pesticides containing such active ingredient are eligible for reregistration," before calling in product specific data on individual end-use products and either reregistering products or taking other "appropriate regulatory action."

Section 408(q) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(q), requires EPA to review tolerances and exemptions for pesticide residues in effect as of August 2, 1996, to determine whether the tolerance or exemption meets the requirements of section 408(b)(2) or (c)(2) of FFDCA. This review is to be completed by August 3, 2006.

List of Subjects

Environmental protection, Pesticides and pests.

Dated: April 26, 2005.

Debra Edwards,

*Director, Special Review and Reregistration
Division, Office of Pesticide Programs.*

[FR Doc. 05-10764 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0103; FRL-7711-2]

***α*-Butyl-*ω*-hydroxypoly(oxypropylene) Block Polymer with poly(oxyethylene); Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food**

AGENCY: Environmental Protection
Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of a pesticide petition proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

DATES: Comments, identified by docket identification (ID) number OPP-2005-0103, must be received on or before July 1, 2005.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Kathleen Martin, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 308-2857; e-mail address: martin.kathleen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American

Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2005-0103. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the “**Federal Register**” listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA’s electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select “search,” then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA’s electronic public docket. EPA’s policy is that copyrighted material will not be placed in EPA’s electronic public docket but will be available only in printed, paper form in the official public

docket. To the extent feasible, publicly available docket materials will be made available in EPA’s electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA’s electronic public docket. Although, not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA’s electronic public docket.

For public commenters, it is important to note that EPA’s policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA’s electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA’s electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA’s electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA’s electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA’s electronic public docket along with a brief description written by the docket staff.

C. How and To Whom Do I Submit Comments?

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked “late.” EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also, include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2005-0103. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID number OPP-2005-0103. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID number OPP-2005-0103.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID number OPP-2005-0103. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT.**

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Provide specific examples to illustrate your concerns.

6. Make sure to submit your comments by the deadline in this notice.

7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. What Action is the Agency Taking?

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 19, 2005.

Lois A. Rossi,

Director, Registration Division, Office of Pesticide Programs.

Summary of Petition

The petitioner's summary of the pesticide petition is printed below as required by FFDCA section 408(d)(3). The summary of the petition was prepared by BASF Corporation, and represents the view of the petitioner. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

BASF Corporation

PP 5E6917

EPA has received a pesticide petition (5E6917) from BASF Corporation, 100 Campus Drive, Florham Park, NJ, 07932, proposing, pursuant to section 408(d) of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a(d), to

amend 40 CFR part 180 to establish an exemption from the requirement of a tolerance for α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) when used in a pesticide. EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

A. Residue Chemistry

BASF Corporation is petitioning that α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) be exempt from the requirement of a tolerance based upon the definition of a low risk polymer under 40 CFR 723.250(e). Consequently, BASF Corporation believes that the analytical method to determine residues, the residues present in plant material, and the magnitude of α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) in raw agricultural commodities, is not relevant.

B. Toxicological Profile

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) is a polymer as defined by 40 CFR 723.250(b). It is composed of at least three monomer units and one other reactant.

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) consists of a simple weight majority of the polymer molecules. The monomer sequences form uninterrupted strings in the polymer and distribution of the molecular weight of the polymer is due largely to the number of monomer units in the individual molecules.

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) consists of a number average molecular weight of 4,000 with 0% of its oligomeric material weighing below 500 daltons and 0% of its oligomeric material weighing less than 1,000 daltons.

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) will not become cationic in an aquatic environment. It contains no moieties capable of obtaining a cationic charge.

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) is

composed of carbon, hydrogen, and oxygen; therefore, it meets the criteria of elemental composition. Namely it must be composed of at least two of the following elements (and no other elements than those listed): Carbon, hydrogen, nitrogen, oxygen, silicon, and sulfur.

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) is not designed nor reasonably expected to degrade, decompose, or depolymerize under normal use conditions.

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) is composed of molecules that are listed on the TSCA Inventory or manufactured under an applicable TSCA section 5 exemption.

- α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) does not exceed the number average molecular weight of 10,000 and; therefore, is not subject to the water absorption limitation.

C. Aggregate Exposure

- Dietary exposure.* The physical-chemical characteristics of α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) leads to the conclusion that there is a reasonable certainty of no harm from exposure to the polymer from food or drinking water nor from an aggregate exposure.

- Non-dietary exposure.* The physical-chemical characteristics of α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) lead to the conclusion that there is a reasonable certainty of no harm from exposure to the polymer from non-dietary means.

D. Cumulative Effects

At this time there is no information to indicate that any toxic effects produced by α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) would be cumulative with any other chemical. Given the compound's categorization as a low risk polymer, and its proposed use in pesticide formulations, there is no expectation of increased risk due to cumulative exposure.

E. Safety Determination

- U.S. population.* Based on the polymer's physical-chemical properties, and that it meets or exceeds the polymer exemption criteria at 40 CFR 723.250 for low-risk polymers, adverse effects are not expected.

- Infants and children.* Based on the polymer's physical-chemical properties,

and that it meets or exceeds the polymer exemption criteria at 40 CFR 723.250 for low-risk polymers, adverse effects are not expected.

F. International Tolerances

There are no Codex maximum residue limits established for α -Butyl- ω -hydroxypoly(oxypropylene) block polymer with poly(oxyethylene) in or on crops or commodities at this time.

[FR Doc. 05-10848 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0114; FRL-7711-8]

Hexythiazox; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of a pesticide petition (PP) proposing the establishment of regulations for residues of a certain pesticide chemical in or on various food commodities.

DATES: Comments, identified by docket identification (ID) number OPP-2005-0114, must be received on or before July 1, 2005.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT: Bonaventure Akinlosotu, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 605-0653; e-mail address: akinlosotu.bonaventure@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2005-0114. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm. 119, Crystal Mall #2, 1801S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket,

will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

C. How and To Whom Do I Submit Comments?

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to

consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2005-0114. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID Number OPP-2005-0114. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address

identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001, Attention: Docket ID Number OPP-2005-0114.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2005-0114. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.

3. Provide copies of any technical information and/or data you used that support your views.

4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.

5. Provide specific examples to illustrate your concerns.

6. Make sure to submit your comments by the deadline in this notice.

7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. What Action is the Agency Taking?

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and record keeping requirements.

Dated: May 23, 2005.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

Summary of Petition

The petitioner summary of the pesticide petition is printed below as required by FFDCA section 408(d)(3). The summary of the petition was prepared by the petitioner and represents the view of the petitioner. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

Gowan Company

PP 3F6569

EPA has received a pesticide petition (PP) 3F6569 from Gowan Company, 370

S. Main Street, Yuma, AZ 85365 proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of hexythiazox: (*trans*-5- (4-chlorophenyl)-N-cyclohexyl-4-methyl-2-oxothiazolidine-3-carboxamide) and its metabolites containing the (4-chlorophenyl)-4-methyl-2-oxothiazolidine moiety expressed as parts per million (ppm) of the parent compound in or on grapes at 1.0 ppm, raisins at 4.0 ppm, citrus at 0.5 ppm, and citrus oil at 2.0 ppm.

EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

A. Residue Chemistry

1. *Plant metabolism.* The metabolism of hexythiazox as well as the nature of the residues in plants is adequately understood for purposes of this tolerance. Metabolism studies were conducted in four crops, viz.; pears, grapes, oranges and apples. The major residue component is unmetabolized parent. The metabolites are hydroxylcyclohexyl and ketocyclohexyl analogs of hexythiazox and the amide formed by loss of the cyclohexyl ring. Parent hexythiazox and its metabolites are converted to a common moiety for residue analysis.

2. *Analytical method.* A practical analytical method, high pressure liquid chromatography with an Ultraviolet (UV) detector, which detects and measures residues of hexythiazox and its metabolites as a common moiety, is available for enforcement purposes with a limit of detection that allows monitoring of food with residues at or above the levels set in this tolerance.

3. *Magnitude of residues.* Residue and processing studies on grapes and citrus were conducted to support the proposed use. The number of trials conducted is sufficient to satisfy requirements for national registration for grapes and regional registration (CA, AZ, TX) for citrus.

B. Toxicological Profile

1. *Acute toxicity.* A battery of acute toxicity studies places technical grade hexythiazox in Toxicity Category IV for acute oral lethal dose $_{50}$ ((LD $_{50}$) > 5,000 milligram/kilograms (mg/kg)), Category III for dermal LD $_{50}$ > 5,000 mg/kg), Category III for inhalation lethal concentration (LC $_{50}$) (LC $_{50}$ > 2.0 mg/Liter(L)), Category III for primary eye

irritation (mild irritation, reddened conjunctiva), Category IV for dermal irritation (non irritant). Hexythiazox is a non-sensitizer.

2. *Genotoxicity.* The following genotoxicity studies were all negative: Ames gene mutation, CHO gene mutation, CHO chromosome aberration, mouse micronucleus and rat hepatocyte unscheduled DNA synthesis.

3. *Reproductive and developmental toxicity.* In a developmental toxicity study in rats, the maternal No-Observed-Adverse-Effect-Level (NOAEL) was 240 mg/kg/day and the maternal Lowest-Observed-Adverse-Effect-Level (LOAEL) was 720 mg/kg/day based on increased ovarian weights and decreased bone ossification.

In a developmental toxicity study in rabbits, the maternal NOAEL was 1,080 mg/kg/day highest dose tested (HDT); the maternal LOAEL was not determined. The developmental NOAEL was 1,080 mg/kg/day (HDT); the developmental LOAEL was not determined. In a 2-generation reproduction study in rats, the parental NOAEL was 35 mg/kg/day and the parental LOAEL was 200 mg/kg/day based on decreased body weight gain, decreased food consumption and efficiency, and increased liver, kidney and ovarian weights. The reproductive NOAEL was 35 mg/kg/day and the reproductive LOAEL was 200 mg/kg/day based on decreased pup body weight (bw) during lactation, delayed hair growth and eye opening.

4. *Subchronic toxicity.* In a 1-month feeding study in dogs, the NOAEL was 1.75 mg/kg/day and the LOAEL was 12.5 mg/kg/day, based on increased liver and adrenal weights.

5. *Chronic toxicity.* In a 1-year feeding study in dogs, the NOAEL was 2.5 mg/kg/day and the LOAEL was 12.5 mg/kg/day, based on increased alkaline phosphatase, increased adrenal and liver weights, and liver and adrenal lesions. In a carcinogenicity study in mice, the NOAEL was 36 mg/kg/day and the LOAEL was 215 mg/kg/day. Effects were decreased bwt in males and increased hepatocellular carcinomas and combined adenoma/carcinomas.

In a chronic feeding/carcinogenicity study in rats, the NOAEL (systemic) was 26 mg/kg/day and the LOAEL (systemic) was 180 mg/kg/day based on decreased bwt gain and increased liver weights in both sexes.

The chronic reference dose (RfD) for hexythiazox is based on the 1-year dog feeding study with a NOAEL of 2.5 mg/kg/day and an uncertainty factor of 100. The Agency has classified hexythiazox as a category C (possible human)

incidence of hepatocellular carcinomas ($p = 0.028$) and combined adenomas/carcinomas ($p = 0.024$) in female mice at the highest dose tested (1,500 ppm) when compared to the controls as well as a significantly increased ($p < 0.001$) incidence of pre-neoplastic hepatic nodules in both males and females at the HDT. The decision supporting a category C classification was based primarily on the fact that only one species was affected and mutagenicity studies were negative. In classifying hexythiazox as a category C carcinogen, the Agency concluded that a quantitative estimate of the carcinogenic potential for humans should be calculated because of the increased incidence of liver tumors in the female mouse. A $Q1^*$ of $0.022 \text{ mg/kg/day}^{-1}$ in human equivalents was published in the **Federal Register** of October 16, 1998 (63 FR 55540) (FRL-6035-2).

6. *Animal metabolism.* The metabolism of hexythiazox has been studied in goats, hens and rats. Metabolic pathways in the animal are similar to those in plants.

7. *Metabolite toxicology.* There are no metabolites of toxicological concern based on a differential metabolism between plants and animals.

8. *Endocrine disruption.* No specific tests have been conducted with hexythiazox to determine whether the chemical may have an effect in humans that is similar to an effect produced by a naturally occurring estrogen or other endocrine effects. However, there were no significant findings in other relevant toxicity tests, i.e., teratology and multi-generation reproduction studies, which would suggest that hexythiazox produces effects characteristic of the disruption of the estrogenic hormone.

C. Aggregate Exposure

1. *Dietary exposure from food.* Tolerances have been established (40 CFR 180.479) for residues of hexythiazox (*trans*-5- (4-chlorophenyl)-N-cyclohexyl-4-methyl-2-oxothiazolidine-3-carboxamide) and its metabolites containing the (4-chlorophenyl)-4-methyl-2-oxo-3-thiazolidine moiety in or on apples at 0.50 ppm; wet apple pomace at 0.80 ppm; pears at 0.30 ppm; stone fruits (except plums) at 1.0 ppm; plum, prune, fresh at 0.1 ppm; plum, prune, dried at 0.4 ppm; strawberries at 3.0 ppm; nut tree group at 0.30 ppm; pistachio at 0.30 ppm; almond hulls at 10 ppm; caneberry crop group at 2.0 ppm; dates at 1.0 ppm; hops at 2.0 ppm; milk at 0.02 ppm; fat of cattle, goats, horses, swine and sheep at 0.02 ppm; meat byproducts of cattle, goats, horses, swine and sheep at 0.02 ppm; cotton,

undelinted seed (CA only), at 0.20 ppm; and cotton gin byproducts (CA only) at 3.0 ppm, and a tolerance of 0.1 ppm for greenhouse tomatoes is pending. Additional tolerances are being requested in this petition for grapes at 1.0 ppm, raisins at 4 ppm, citrus (CA, AZ, TX) at 0.5 ppm, and citrus oil at 2.0 ppm.

EPA has estimated the following dietary exposures from hexythiazox in food (**Federal Register** of September 29, 2000 (65 FR 58437) (FRL-6746-5).

i. *Acute exposure.* For acute dietary exposure of the general population including infants and children, a dose and endpoint attributable to a single exposure were not identified by the Agency from the available oral toxicity studies, including maternal toxicity in the developmental toxicity studies. An acute RfD of 2.4 mg/kg/day for females 13–50 years of age was identified from the rat developmental toxicology study based on delayed ossification. A conservative analysis was performed by the Agency using existing and recommended tolerance level residues and 100% crop treated (CT) information for all commodities. The acute dietary exposure estimate for the females 13–50 years old subgroup was 0.002617 mg/kg/day at the 95th percentile. The registrant has concluded that hexythiazox use on grapes and citrus will not significantly contribute to this dietary exposure.

ii. *Chronic exposure.* A partially refined deterministic analysis was performed by the Agency using anticipated residues (AR) levels for most crops and %CT or anticipated market share information for all crops. Dietary exposure estimates for the U.S. population and other representative subgroups were $< 0.00003 \text{ mg/kg/day}$. The registrant has concluded that hexythiazox use on grapes and citrus will not significantly contribute to this dietary exposure.

iii. *Cancer.* A partially refined deterministic carcinogenic risk estimate analysis was performed by the Agency using AR levels and %CT or anticipated market share information for all crops. The chronic dietary exposure estimate for the U.S. population was $0.000011 \text{ mg/kg/day}$. The registrant has concluded that hexythiazox use on grapes and citrus will not significantly contribute to this dietary exposure.

2. *Dietary exposure from drinking water.* Using the Generic expected environmental concentration (GENEEC) and Screening concentration in ground water (SCI-GROW) models, the Agency has calculated the estimated environmental concentrations (EECs) of hexythiazox to be 910.32 nanogram

(ng)/L for surface water and 1.47 ng/L for ground water. These estimates are based on a maximum application rate of 0.1875 lbs. active ingredient per acre.

3. *From non-dietary exposure.* The term "residential exposure" is used by the Agency to refer to non-occupational, non-dietary exposure (e.g., for lawn and garden pest control, indoor pest control, termiticides, and flea and tick control on pets). Hexythiazox is not registered for use on any sites that would result in residential exposure.

D. Cumulative Exposure

EPA has not determined whether hexythiazox has a common mechanism of toxicity with other substances or how to include this pesticide in a cumulative risk assessment. Unlike other pesticides for which EPA has followed a cumulative risk approach based on a common mechanism of toxicity, hexythiazox does not share a toxic metabolite with other substances. For the purposes of this tolerance action, therefore, the registrant has not assumed that hexythiazox has a common mechanism of toxicity with other substances. For purposes of this petition the potential risks of hexythiazox in its aggregate exposure will only be considered.

E. Safety Determination

1. U.S. population—i. Acute risk.

Aggregate exposure risk includes exposure from food and water. For acute dietary exposure of the general population, a dose and endpoint attributable to a single exposure were not identified by the Agency from the available oral toxicity studies. For the relevant population subgroup of females 13+ years, the risk from acute "food only" exposure is less than 1% of the RfD, which is less than EPA's level of concern. The acute drinking water level of comparison (DWLOC) calculated for the relevant population subgroup of females 13+ years is 72,000 parts per billion (ppb). The calculated DWLOC is significantly higher than the drinking water EECs for ground water (0.0015 ppb) and surface water (0.910 ppb). EPA has concluded with reasonable certainty that residues of hexythiazox in drinking water do not contribute to the acute aggregate health risk.

ii. *Short- and intermediate-term risk.* Hexythiazox is not registered for use on any sites that would result in residential exposure. Therefore, the aggregate risk is the sum of the risk from food and water, which do not exceed the Agency's level of concern.

iii. *Chronic risk.* Aggregate chronic risk (non cancer) exposure from "food only" exposure utilizes less than 1% of

the RfD for all population subgroups. The chronic DWLOC for hexythiazox exposure in drinking water is 870 ppb for the U.S. population and 250 ppb for infants and children. The calculated DWLOCs are significantly higher than the drinking water EECs for ground water (0.0015 ppb) and surface water (0.910 ppb). EPA has concluded with reasonable certainty that residues of hexythiazox in drinking water do not contribute to the chronic (non cancer) aggregate health risk.

iv. *Cancer risk.* The carcinogenic risk estimate (food only) for the general U.S. population $<5 \times 10^{-7}$. Thus, the carcinogenic dietary risk associated with the existing and proposed uses of hexythiazox does not exceed the level of concern for excess lifetime cancer risk (1×10^{-6}). The surface water and ground water EECs were used to compare against back calculated the DWLOC for aggregate risk assessments. For the carcinogenic risk scenario, EPA calculated a DWLOC of 1.2 ppb for the U.S. population. The EECs ground water and surface water (0.0015 ppb and 0.910 ppb, respectively) are less than EPA's calculated DWLOC. Therefore, EPA concluded that residues of hexythiazox in drinking water do not contribute significantly to the carcinogenic aggregate human health risk.

2. *Infants and children.* For acute dietary exposure of infants and children, a dose and endpoint attributable to a single exposure were not identified by the Agency from the available oral toxicity studies. The Agency has determined that the 10X-safety factor to protect infants and children should be removed and reduced to 1X. It is concluded that there is a reasonable certainty of no harm to infants and children from aggregate exposure to hexythiazox residues.

F. International Tolerances

National maximum residue levels (MRL) for hexythiazox on grapes have been established at 0.5 ppm in Germany, France, Italy, Spain, Austria, and Hungary, and at 0.05 ppm in Switzerland. MRLs for hexythiazox on citrus have been established at 2.0 ppm in Japan and Korea, at 1.0 ppm in Spain, at 0.5 ppm in Italy, at 1.0 ppm for peel and 0.01 ppm for pulp in Brazil, 0.2 ppm in France and 0.1 ppm in New Zealand.

[FR Doc. 05-10843 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-S

ENVIRONMENTAL PROTECTION AGENCY

[OPP-2005-0135; FRL-7715-7]

Furilazole; Notice of Filing a Pesticide Petition to Establish a Tolerance for a Certain Pesticide Chemical in or on Food

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces the initial filing of a pesticide petition (PP) by Monsanto Company proposing the establishment of regulations for residues of 3-dichloroacetyl-5-(2-furanyl)-2,2-dimethyloxazolidine (furilazole) (safener) in or on the raw agricultural commodities sorghum grain, forage, stover, flour, and bran at 0.01 parts per million.

DATES: Comments, identified by docket identification (ID) number OPP-2005-0135, must be received on or before July 1, 2005.

ADDRESSES: Comments may be submitted electronically, by mail, or through hand delivery/courier. Follow the detailed instructions as provided in Unit I. of the **SUPPLEMENTARY INFORMATION**.

FOR FURTHER INFORMATION CONTACT:

Karen Angulo, Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington, DC 20460-0001; telephone number: (703) 306-0404; e-mail address: angulo.karen@epa.gov.

SUPPLEMENTARY INFORMATION:

I. General Information

A. Does this Action Apply to Me?

You may be potentially affected by this action if you an agricultural producer, food manufacturer, or pesticide manufacturer. Potentially affected entities may include, but are not limited to:

- Crop production (NAICS 111)
- Animal production (NAICS 112)
- Food manufacturing (NAICS 311)
- Pesticide manufacturing (NAICS 32532)

This listing is not intended to be exhaustive, but rather provides a guide for readers regarding entities likely to be affected by this action. Other types of entities not listed in this unit could also be affected. The North American Industrial Classification System (NAICS) codes have been provided to assist you and others in determining whether this action might apply to certain entities. If you have any

questions regarding the applicability of this action to a particular entity, consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

B. How Can I Get Copies of this Document and Other Related Information?

1. *Docket.* EPA has established an official public docket for this action under docket ID number OPP-2005-0135. The official public docket consists of the documents specifically referenced in this action, any public comments received, and other information related to this action. Although a part of the official docket, the public docket does not include Confidential Business Information (CBI) or other information whose disclosure is restricted by statute. The official public docket is the collection of materials that is available for public viewing at the Public Information and Records Integrity Branch (PIRIB), Rm.119, Crystal Mall #2, 1801S. Bell St., Arlington, VA. This docket facility is open from 8:30 a.m. to 4 p.m., Monday through Friday, excluding legal holidays. The docket telephone number is (703) 305-5805.

2. *Electronic access.* You may access this **Federal Register** document electronically through the EPA Internet under the "**Federal Register**" listings at <http://www.epa.gov/fedrgstr/>.

An electronic version of the public docket is available through EPA's electronic public docket and comment system, EPA Dockets. You may use EPA Dockets at <http://www.epa.gov/edocket/> to submit or view public comments, access the index listing of the contents of the official public docket, and to access those documents in the public docket that are available electronically. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B.1. Once in the system, select "search," then key in the appropriate docket ID number.

Certain types of information will not be placed in the EPA Dockets. Information claimed as CBI and other information whose disclosure is restricted by statute, which is not included in the official public docket, will not be available for public viewing in EPA's electronic public docket. EPA's policy is that copyrighted material will not be placed in EPA's electronic public docket but will be available only in printed, paper form in the official public docket. To the extent feasible, publicly available docket materials will be made available in EPA's electronic public docket. When a document is selected from the index list in EPA Dockets, the

system will identify whether the document is available for viewing in EPA's electronic public docket. Although not all docket materials may be available electronically, you may still access any of the publicly available docket materials through the docket facility identified in Unit I.B. EPA intends to work towards providing electronic access to all of the publicly available docket materials through EPA's electronic public docket.

For public commenters, it is important to note that EPA's policy is that public comments, whether submitted electronically or in paper, will be made available for public viewing in EPA's electronic public docket as EPA receives them and without change, unless the comment contains copyrighted material, CBI, or other information whose disclosure is restricted by statute. When EPA identifies a comment containing copyrighted material, EPA will provide a reference to that material in the version of the comment that is placed in EPA's electronic public docket. The entire printed comment, including the copyrighted material, will be available in the public docket.

Public comments submitted on computer disks that are mailed or delivered to the docket will be transferred to EPA's electronic public docket. Public comments that are mailed or delivered to the docket will be scanned and placed in EPA's electronic public docket. Where practical, physical objects will be photographed, and the photograph will be placed in EPA's electronic public docket along with a brief description written by the docket staff.

C. How and To Whom Do I Submit Comments?

You may submit comments electronically, by mail, or through hand delivery/courier. To ensure proper receipt by EPA, identify the appropriate docket ID number in the subject line on the first page of your comment. Please ensure that your comments are submitted within the specified comment period. Comments received after the close of the comment period will be marked "late." EPA is not required to consider these late comments. If you wish to submit CBI or information that is otherwise protected by statute, please follow the instructions in Unit I.D. Do not use EPA Dockets or e-mail to submit CBI or information protected by statute.

1. *Electronically.* If you submit an electronic comment as prescribed in this unit, EPA recommends that you include your name, mailing address, and an e-mail address or other contact

information in the body of your comment. Also include this contact information on the outside of any disk or CD ROM you submit, and in any cover letter accompanying the disk or CD ROM. This ensures that you can be identified as the submitter of the comment and allows EPA to contact you in case EPA cannot read your comment due to technical difficulties or needs further information on the substance of your comment. EPA's policy is that EPA will not edit your comment, and any identifying or contact information provided in the body of a comment will be included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket. If EPA cannot read your comment due to technical difficulties and cannot contact you for clarification, EPA may not be able to consider your comment.

i. *EPA Dockets.* Your use of EPA's electronic public docket to submit comments to EPA electronically is EPA's preferred method for receiving comments. Go directly to EPA Dockets at <http://www.epa.gov/edocket/>, and follow the online instructions for submitting comments. Once in the system, select "search," and then key in docket ID number OPP-2005-0135. The system is an "anonymous access" system, which means EPA will not know your identity, e-mail address, or other contact information unless you provide it in the body of your comment.

ii. *E-mail.* Comments may be sent by e-mail to opp-docket@epa.gov, Attention: Docket ID Number OPP-2005-0135. In contrast to EPA's electronic public docket, EPA's e-mail system is not an "anonymous access" system. If you send an e-mail comment directly to the docket without going through EPA's electronic public docket, EPA's e-mail system automatically captures your e-mail address. E-mail addresses that are automatically captured by EPA's e-mail system are included as part of the comment that is placed in the official public docket, and made available in EPA's electronic public docket.

iii. *Disk or CD ROM.* You may submit comments on a disk or CD ROM that you mail to the mailing address identified in Unit I.C.2. These electronic submissions will be accepted in WordPerfect or ASCII file format. Avoid the use of special characters and any form of encryption.

2. *By mail.* Send your comments to: Public Information and Records Integrity Branch (PIRIB) (7502C), Office of Pesticide Programs (OPP), Environmental Protection Agency, 1200 Pennsylvania Ave., NW., Washington,

DC 20460-0001, Attention: Docket ID Number OPP-2005-0135.

3. *By hand delivery or courier.* Deliver your comments to: Public Information and Records Integrity Branch (PIRIB), Office of Pesticide Programs (OPP), Environmental Protection Agency, Rm. 119, Crystal Mall #2, 1801 S. Bell St., Arlington, VA, Attention: Docket ID Number OPP-2005-0135. Such deliveries are only accepted during the docket's normal hours of operation as identified in Unit I.B.1.

D. How Should I Submit CBI to the Agency?

Do not submit information that you consider to be CBI electronically through EPA's electronic public docket or by e-mail. You may claim information that you submit to EPA as CBI by marking any part or all of that information as CBI (if you submit CBI on disk or CD ROM, mark the outside of the disk or CD ROM as CBI and then identify electronically within the disk or CD ROM the specific information that is CBI). Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2.

In addition to one complete version of the comment that includes any information claimed as CBI, a copy of the comment that does not contain the information claimed as CBI must be submitted for inclusion in the public docket and EPA's electronic public docket. If you submit the copy that does not contain CBI on disk or CD ROM, mark the outside of the disk or CD ROM clearly that it does not contain CBI. Information not marked as CBI will be included in the public docket and EPA's electronic public docket without prior notice. If you have any questions about CBI or the procedures for claiming CBI, please consult the person listed under **FOR FURTHER INFORMATION CONTACT**.

E. What Should I Consider as I Prepare My Comments for EPA?

You may find the following suggestions helpful for preparing your comments:

1. Explain your views as clearly as possible.
2. Describe any assumptions that you used.
3. Provide copies of any technical information and/or data you used that support your views.
4. If you estimate potential burden or costs, explain how you arrived at the estimate that you provide.
5. Provide specific examples to illustrate your concerns.
6. Make sure to submit your comments by the deadline in this notice.

7. To ensure proper receipt by EPA, be sure to identify the docket ID number assigned to this action in the subject line on the first page of your response. You may also provide the name, date, and **Federal Register** citation.

II. What Action is the Agency Taking?

EPA has received a pesticide petition as follows proposing the establishment and/or amendment of regulations for residues of a certain pesticide chemical in or on various food commodities under section 408 of the Federal Food, Drug, and Cosmetic Act (FFDCA), 21 U.S.C. 346a. EPA has determined that this petition contains data or information regarding the elements set forth in FFDCA section 408(d)(2); however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data support granting of the petition. Additional data may be needed before EPA rules on the petition.

List of Subjects

Environmental protection, Agricultural commodities, Feed additives, Food additives, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: May 23, 2005.

Lois Rossi,

Director, Registration Division, Office of Pesticide Programs.

Summary of Petition

The petitioner's summary of the pesticide petition is printed below as required by FFDCA section 408(d)(3). The summary of the petition was prepared by Monsanto Company and represents the view of the petitioner. EPA is publishing the petition summary verbatim without editing it in anyway. The petition summary announces the availability of a description of the analytical methods available to EPA for the detection and measurement of the pesticide chemical residues or an explanation of why no such method is needed.

Monsanto Company

PP 5E6919

EPA has received PP 5E6919 from Monsanto Company, 800 N. Lindbergh Blvd., St. Louis, MO 63167, proposing, pursuant to section 408(d) of the FFDCA, 21 U.S.C. 346a(d), to amend 40 CFR part 180 by establishing a tolerance for residues of 3-dichloroacetyl-5-(2-furanyl)-2,2-dimethyloxazolidine (furilazole) in or on the raw agricultural commodities sorghum grain, forage, stover, flour, and bran at 0.01 parts per

million (ppm). EPA has determined that the petition contains data or information regarding the elements set forth in section 408(d)(2) of the FFDCA; however, EPA has not fully evaluated the sufficiency of the submitted data at this time or whether the data supports granting of the petition. Additional data may be needed before EPA rules on the petition.

A. Residue Chemistry

1. *Plant metabolism.* The metabolism of furilazole in sorghum was examined in a field study in which uptake and metabolism of radiolabeled furilazole in sorghum and corn was determined in parallel experiments. Parent furilazole was not found in any of the sorghum samples. Furilazole is rapidly and extensively metabolized to a large number of highly polar metabolites characterized as weak organic acids or residues conjugated to natural sugars.

2. *Analytical method.* Monsanto has developed an analytical method using gas liquid chromatography/mass spectrometry with selected ion monitoring that has a verified limit of quantitation of 0.01 ppm for parent furilazole in sorghum grain, forage, stover, flour, and bran. This method is analogous to that validated by the Agency with the exception of the use of a mass-specific detector rather than an electron capture detector.

3. *Magnitude of residues.* Monsanto has conducted a residue field study with furilazole applied pre-emergence and early post-emergence to sorghum according to label use rates per acre. Analysis of sorghum forage, stover, grain, flour and bran showed no residues with an analytical method that was validated at the lower limit of 0.01 ppm.

B. Toxicological Profile

A summary of the toxicology data submitted to support this tolerance petition was published in the **Federal Register** on April 3, 2002 (67 FR 15727) (FRL-6828-4).

C. Aggregate Exposure

1. *Dietary exposure —i. Food.* Furilazole is currently registered for use only on corn. Tolerances for sorghum are proposed as part of this petition. Potential acute and chronic dietary exposures resulting from the use of furilazole on corn and sorghum were estimated using the Dietary Exposure Evaluation Model - Food Consumption Intake Database (DEEM-FCID™, version 2.03, Exponent, Inc.). Food consumption was based on data from the 1994-1996 USDA Continuing Surveys of Individual Intakes (CSFII)

and the 1998 Supplemental Children's Survey. For the purposes of this document, Monsanto made the very conservative assumption that the entire corn and sorghum crops were treated with furilazole (i.e., 100% crop treated), that all corn and sorghum commodities contained residues of furilazole at the existing or proposed tolerance levels, and that no losses occurred during storage, processing or cooking.

ii. *Drinking water.* Insufficient monitoring data are available for a comprehensive risk assessment of furilazole residues in drinking water. However, the EPA has previously used the Pesticide Root Zone/Exposure Analysis Modeling System (PRZM/EXAMS) and Screening Concentrations in Ground Water (SCI-GROW) models to develop conservative estimates of potential furilazole concentrations in surface and shallow ground water, respectively as published in the **Federal Register** of April 3, 2002 (67 FR 15727). For surface water, the Agency calculated Estimated Environmental Concentrations (EECs) of 1.2 parts per billion (ppb), 0.8 ppb and 0.22 ppb for acute, chronic (non-cancer) and cancer risk assessments, respectively. For ground water, the Agency calculated an EEC of 0.02 ppb for all exposure scenarios. To assess potential health risks associated with possible residues of furilazole in drinking water, Monsanto compared these EECs to drinking water levels of concern (DWLOC), which were calculated by subtracting the estimated exposures to furilazole from food from the appropriate Reference Dose (RfD), and making standard assumptions regarding drinking water consumption and body weights for adults and children.

2. *Non-dietary exposure.* There are no residential or non-agricultural uses of furilazole. Therefore, non-dietary, non-occupational exposures to furilazole are expected to be negligible and were not included within this risk assessment.

D. Cumulative Effects

Monsanto has no reliable data or information to suggest that furilazole shares a common mechanism of toxicity with any other chemical. Therefore, only the potential effects of furilazole are addressed in this document.

E. Safety Determination

1. *U.S. population.* The toxicology endpoints used to assess potential acute, chronic and carcinogenic risks from furilazole were those previously identified by the EPA and published in the **Federal Register** on April 3, 2002 (67 FR 15727). Acute dietary risks were assessed using an acute reference dose

(RfD) of 0.1 milligrams/kilograms (mg/kg)/day. This was based on a no observed adverse effect level (NOAEL) of 10 mg/kg/day for increased resorptions in a developmental toxicity study in rats and a 100-fold uncertainty factor (UF). The only population subgroup of potential concern for this effect was females aged 13 and older because this is an in-utero effect applicable only to females of childbearing age. Acute risk assessments for other population subgroups were not conducted since no other acute toxicology endpoint was identified.

Potential risks for chronic toxicity to all population subgroups were assessed using a chronic reference dose (cRfD) of 0.0009 mg/kg/day. This was based on a NOAEL of 0.26 mg/kg/day for increased liver and kidney weights in a chronic rat study and an UF of 300. This UF included an extra 3X to account for the lack of a one-year dog study. Since furilazole is classified by the EPA as "likely to be carcinogenic to humans", potential carcinogenic risks have been quantified using the cancer slope factor (Q^*) of 0.0274 (mg/kg/day)⁻¹ previously used by EPA.

With the exception of a lack of a one-year dog study, the toxicology and exposure information available for furilazole was considered to be valid, reliable and complete according to current regulatory standards. No evidence of increased susceptibility of offspring was noted in rats or rabbits following in utero and/or postnatal exposure to furilazole. Therefore, the Agency has determined that no additional Food Quality Protection Act (FQPA) safety factor was needed to protect infants or children.

2. *Acute risk.* Based on the above assumptions, the 99th percentile for acute dietary (food) exposure to furilazole for females aged 13 to 50 was estimated to be 0.000095 mg/kg/day. This exposure represents 0.09% of the RfD. In general, exposures utilizing less than 100% of the RfD are not of concern. The DWLOC calculated for this scenario was 3000 ppb, which is far above the acute EECs of 1.2 ppb for surface water and 0.02 ppb for ground water calculated by the EPA. Therefore, Monsanto concludes that there is a reasonable certainty that acute dietary exposure to furilazole will not pose a significant risk to human health.

3. *Chronic risk.* Based on the above assumptions, chronic dietary exposure to furilazole from food for the overall U.S. population was estimated to be 0.000014 mg/kg/day. This represents about 1.5% of the cRfD. Chronic dietary exposure from food for children 3–5, the most highly exposed population

subgroup, was estimated to be 0.000032 mg/kg/day, which represents 3.6% of the cRfD. Both of these values are well below 100% of the RfD. In addition, the chronic DWLOCs for the overall U.S. population and children were calculated to be 31 and 8.7 ppb, which are greater than the chronic EECs of 0.8 ppb for surface water and 0.02 ppb for ground water calculated by the Agency. Therefore, Monsanto concludes that there is a reasonable certainty that chronic dietary exposure to furilazole will not pose a significant risk to human health.

4. *Cancer risk.* Based on the above assumptions, the average daily lifetime exposure to furilazole from food for the overall U.S. population was estimated to be 0.000014 mg/kg/day. Using linear low-dose extrapolation, the 95% upper confidence limit of the lifetime cancer risk associated with this level of exposure was estimated to be 3.7×10^{-7} . Cancer risks of less than 1×10^{-6} are generally considered to be negligible. The DWLOC for carcinogenic risks to the overall U.S. population was calculated to be 0.8 ppb, which is greater than the EECs of 0.22 ppb for surface water and 0.02 ppb for ground water calculated by EPA for use in cancer risk assessment. Therefore, Monsanto concludes that there is a reasonable certainty that lifetime aggregate exposure to furilazole will not pose a significant risk of cancer.

5. *Overall conclusion of safety.* Based on the data summarized herein, Monsanto concludes that there is a reasonable certainty that no harm will result to the U.S. population, including infants and children, from the current and proposed uses of furilazole.

F. International Tolerances

The Codex Alimentarius Commission has not established a maximum residue level for furilazole.

[FR Doc. 05–10842 Filed 5–31–05; 8:45 am]

BILLING CODE 6560–50–S

ENVIRONMENTAL PROTECTION AGENCY

[FRL–7919–8]

Florida Petroleum Reprocessors Superfund Site; Notice of Proposed Settlement

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed *de minimis* settlement.

SUMMARY: Under section 122(g) (4) of the Comprehensive Environmental Response Compensation and Liability

Act (CERCLA), the Environmental Protection Agency has offered a *de minimis* settlement at the Florida Petroleum Reprocessors Superfund Site (Site) located in Davie, Florida. EPA will consider public comments until July 1, 2005. EPA may withdraw from or modify the proposed settlement should such comments disclose facts or considerations which indicated the proposed settlement in inappropriate, improper, or inadequate. Copies of the proposed settlement are available from: Ms. Paula V. Batchelor, Environmental Protection Agency, Region 4, Superfund Enforcement & Information Management Branch, Waste Management Division, 61 Forsyth Street, SW., Atlanta, Georgia 30303. (404) 562-8887. Batchelor.Paula@EPA.gov.

Written or e-mail comments may be submitted to Paula V. Batchelor at the above address within 30 days of the date of publication.

Dated: May 4, 2005.

Rosalind H. Brown,
Chief, Superfund Enforcement & Information Management Branch, Waste Management Division.

[FR Doc. 05-10849 Filed 5-31-05; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission

May 18, 2005.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to

minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before July 1, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments regarding this Paperwork Reduction Act submission to Judith B. Herman, Federal Communications Commission, Room 1-C804, 445 12th Street, SW., DC 20554 or via the Internet to Judith-B.Herman@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith B. Herman at 202-418-0214 or via the Internet at Judith-B.Herman@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060-0169.

Title: Sections 43.51 and 43.53,

Reports and Records of Communications Common Carriers and Affiliates.

Form No.: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit.

Number of Respondents: 71 respondents; 374 responses.

Estimated Time Per Response: 82.92-100.7 hours.

Frequency of Response: On occasion and annual reporting requirements, recordkeeping requirement and third party disclosure requirement.

Total Annual Burden: 6,029 hours.

Total Annual Cost: N/A.

Privacy Act Impact Assessment: N/A.

Needs and Uses: The Commission is submitting an extension (no change) for this information collection in order to obtain the full three-year clearance from OMB. Section 43.51 requires any communication common carrier described in paragraph (b) of this section must file with the Commission, within thirty (30) days of execution, a copy of each contract, agreement, concession, license, authorization, operating agreement or other arrangement to which it is a party and any amendments. In addition to other reporting requirements, this rule section also requires an annual reporting requirement, third party disclosure requirement and recordkeeping requirements. Section 43.53 requires each communication common carrier

engaged directly in the transmission or reception of telegraph communications between the continental United States and any foreign country shall file a report with the Commission within thirty (30) days of the date of any arrangement concerning the division of the total telegraph charges on such communications other than transiting.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10560 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted for Review to the Office of Management and Budget

May 16, 2005.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before July 1, 2005. If you anticipate that you will be submitting PRA comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all Paperwork Reduction Act (PRA) comments to

Judith B. Herman, Federal Communications Commission, Room 1–C804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Judith-B.Herman@fcc.gov. If you would like to obtain or view a copy of this new or revised information collection, you may do so by visiting the FCC PRA Web page at: <http://www.fcc.gov/omd/pra>.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith B. Herman at 202–418–0214 or via the Internet at Judith-B.Herman@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060–0800.

Title: FCC Wireless

Telecommunications Bureau Application for Assignment of Authorization or Transfer of Control.
Form No.: FCC Form 603.

Type of Review: Revision of a currently approved collection.

Respondents: Individuals or households; business or other for-profit, not-for-profit institutions, and state, local or tribal government.

Number of Respondents: 32,151.

Estimated Time Per Response: 1.75 hours.

Frequency of Response: On occasion reporting requirement and recordkeeping requirement.

Total Annual Burden: 36,171 hours.

Total Annual Cost: \$7,073,395.

Privacy Act Impact Assessment: Yes.

Needs and Uses: The Commission adopted and released a Second Report and Order in WT Docket No. 00–230, FCC 04–167, which revised the FCC Form 603 to include: (1) The date an involuntary assignment or transfer occurred; (2) the date an assignment or transfer for a post notification is filed under the Commission's forbearance procedure; (3) if the filing involves a partial assignment of site-based license(s); (4) if the assignment or transfer was accomplished by reorganization, liquidation or transfer of stock or other ownership interests; (5) if the application involving licenses that were originally awarded with bidding credits within the last five years; (6) if the application involving licenses that were originally subject to the Commission's installment payment plan; (7) if the application involving licenses that were originally granted pursuant to closed bidding within the last five years; (8) competitive related information; (9) if the requested facilities to be used to provide multichannel video programming in the Broadband Radio Service and Educational Broadband Service; (10) type of applicant for the Assignor/Licensee; (11) Assignor/Licensee contact

representative; (12) type of applicant for the transferor; (13) transferor contact representative; (14) ownership disclosure information; (15) bidding credit information on Schedule A; (16) closed bidding information on Schedule A; and (17) Census population figures retrieved from year 1990 or 2000 on Schedule B.

The FCC uses the information to determine whether the applicant is legally, technically, and financially qualified to obtain a license. Without such information, the Commission cannot determine whether to issue a license to the applicants that provide telecommunications services to the public, and therefore, fulfill its statutory responsibilities in accordance with the Communications Act of 1934, as amended. Information provided on this form will also be used to update the Commission database and to provide for proper use of the frequency spectrum.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05–10562 Filed 5–31–05; 8:45 am]

BILLING CODE 6712–01–P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

May 19, 2005.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104–13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents,

including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before August 1, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all Paperwork Reduction Act (PRA) comments to Judith B. Herman, Federal Communications Commission, Room 1–C804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Judith-B.Herman@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Judith B. Herman at 202–418–0214 or via the Internet at Judith-B.Herman@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control No.: 3060–0139.

Title: Application for Antenna Structure Registration.

Form No.: FCC Forms 854 and 854–R.

Type of Review: Revision of a currently approved collection.

Respondents: Individuals or households; business or other for-profit; not-for-profit institutions; and State, local or tribal government.

Number of Respondents: 9,000.

Estimated Time Per Response: .50 hours.

Frequency of Response: On occasion reporting requirement, recordkeeping requirement and third party disclosure requirement.

Total Annual Burden: 6,750 hours.

Total Annual Cost: \$183,000.

Privacy Act Impact Assessment: Yes.

Needs and Uses: Owners of wire or radio communications towers with antenna structures use FCC Form 854 to register their structures within the United States; to notify the Commission when a structure has been built; to make changes to an existing registered structure; or to notify the Commission when a structure is dismantled. Sections 303(q) and 503(b)(5) of the Communications Act of 1934, as amended and 47 CFR part 17 authorize the Commission to require the painting and/or illumination of radio towers where there is a reasonable possibility that an antenna structure may cause a hazard to air navigation.

The Commission is revising the FCC Form 854 to correct e-mail addresses, Web site addresses, mailing addresses, telephone numbers and instructions for obtaining an FCC Registration Number

(FRN). The Commission uses FCC Form 854-R to notify an owner that we have registered the tower structure, received its modification, or the change of ownership.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10563 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

May 23, 2005.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before August 1, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all Paperwork Reduction Act (PRA) comments to Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street, SW., Washington,

DC 20554 or via the Internet to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Cathy Williams at (202) 418-2918 or via the Internet at Cathy.Williams@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0674.

Title: Section 76.1618, Basic Tier

Availability.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 8,250.

Estimated Time per Response: 2.25 hours.

Frequency of Response: On occasion reporting requirement; Third party disclosure requirement.

Total Annual Burden: 18,563 hours.

Total Annual Cost: None.

Privacy Impact Assessment: No impact(s).

Needs and Uses: 47 CFR 76.1618 states that a cable operator shall provide written notification to subscribers of the availability of basic tier service to new subscribers at the time of installation. This notification shall include the following information: (a) That basic tier service is available; (b) the cost per month for basic tier service; and (c) a list of all services included in the basic service tier.

OMB Control Number: 3060-0896.

Title: Broadcast Auction Form Exhibits.

Form Number: FCC Form 175.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities; Not-for-profit institutions; State, local or tribal government.

Number of Respondents: 3,000.

Estimated Time per Response: 0.5 hours-2 hours.

Frequency of Response: On occasion reporting requirement.

Total Annual Burden: 7,378 hours.

Total Annual Cost: \$9,963,000.

Privacy Impact Assessment: No impact(s).

Needs and Uses: The Commission's rules require that broadcast auction participants submit exhibits disclosing ownership, bidding agreements, bidding credit eligibility and engineering data. This data is used by Commission staff to ensure that applicants are qualified to participate in Commission auctions and to ensure that license winners are entitled to receive the new entrant bidding credit, if applicable. Exhibits regarding joint bidding agreements are

designed to prevent collusion. Submission of engineering exhibits for non-table services enables the Commission to determine which applications are mutually exclusive.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10655 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-10-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval

May 23, 2005.

SUMMARY: The Federal Communications Commissions, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before July 1, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Cathy.Williams@fcc.gov or Kristy L. LaLonde, Office of Management and Budget (OMB), Room 10236 NEOB,

Washington, DC 20503, (202) 395-3087 or via the Internet at Kristy_L._LaLonde@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: For additional information concerning this information collection(s) contact Cathy Williams at (202) 418-2918 or via the Internet at Cathy.Williams@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0419.

Title: Section 76.94, Notification; Section 76.95, Exceptions; Section 76.105, Notifications; Section 76.106, Exceptions; Section 76.107, Exclusivity Contracts; and Section 76.1609, Non-Duplication and Syndicated Exclusivity.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 5,555.

Estimated Time per Response: 30 minutes-2 hours.

Frequency of Response: One time requirement; Third party disclosure requirement.

Total Annual Burden: 183,856 hours.

Total Annual Cost: None.

Privacy Impact Assessment: No impact(s).

Needs and Uses: FCC Rules under 47 CFR sections 76.94, 76.95, 76.105, 76.106, 76.107 and 76.1609, require, among other things, that television stations, broadcast television stations, and program distributors notify cable system operators of non-duplication protection and exclusivity rights being sought within prescribed limitations and terms of contractual agreements. The various notification and disclosure requirements protect broadcasters that purchase the exclusive rights to transmit syndicated programming in their recognized markets.

OMB Control Number: 3060-0548.

Title: Section 76.1708, Principal Headend; Sections 76.1709 and 76.1620, Availability of Signals; Section 76.56, Signal Carriage Obligations; Section 76.1614, Identification of Must-Carry Signals.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 8,250.

Estimated Time per Response: 0.5-1.0 hour.

Frequency of Response: Recordkeeping requirement; On occasion reporting requirement; Third party disclosure requirement.

Total Annual Burden: 49,500 hours.

Total Annual Cost: None.

Privacy Act Impact Assessment: No impact(s).

Needs and Uses: 47 CR 76.1708 requires a cable system to designate the location of its principal headend. 47 CFR 76.1709 was previously reported as § 76.302, which requires the operator of every cable television system to maintain a public inspection file containing a list of all broadcast television stations carried by its system in fulfillment of the must-carry requirements pursuant to § 76.1620 and the designation and location of its principal headend. Sections 76.1709 and 76.1620 state that upon written request from any person, a cable operator is required to provide the lists of must-carried signals in writing within 30 days of receipt of such request. Additionally, § 76.1620 states that if a cable operator authorizes subscribers to install additional receiver connections, but does not provide the subscriber with such connections, or with the equipment and materials for such connections, the operator shall notify such subscribers of all broadcast stations carried on the cable system which cannot be viewed via cable without a converter box and shall offer to sell or lease such a converter box to such subscribers. The notice, which may be included in routine billing statements, shall identify the signals that are unavailable without an additional connection, the manner for obtaining such additional connection, and instructions for installation. These notification and recordkeeping requirements ensure that subscribers are aware of which channels cannot be viewed without converter boxes and which channels are defined as must-carry. The records kept by cable television systems are reviewed by Commission staff during field inspections and by local public officials to assess the system's compliance with applicable rules and regulations. 47 CFR 76.1614 states that a cable operator shall respond in writing within 30 days to any written request by any person for the identification of the signals carried on its system in fulfillment of the must-carry requirements of § 76.56.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10656 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission

May 24, 2005.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law No. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before August 1, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all Paperwork Reduction Act (PRA) comments to Leslie F. Smith, Federal Communications Commission, Room 1-A804, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Leslie.Smith@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Leslie F. Smith at (202) 418-0217 or via the Internet at Leslie.Smith@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0812.

Title: Assessment and Collection of Regulatory Fees.

Form Number: N/A.

Type of Review: Extension of a currently approved collection.

Respondents: Individuals or households; Business or other for-profit; State, local, or tribal governments; and Not-for-profit institutions.

Number of Respondents: 4,500.

Estimated Time per Response: 0.5 hours.

Frequency of Response:

Recordkeeping; On occasion reporting requirement.

Total Annual Burden: 2,250 hours.

Total Annual Cost: N/A.

Privacy Impact Assessment: Yes.

Needs and Uses: In accordance with the Telecommunications Act of 1934, as amended, and Congressional requirements, the FCC is required to assess and collect regulatory fees from licensees and regulatees in order to recover its costs incurred in conducting enforcement, policy and rulemaking, international, and user information activities. The purpose of the requirements are to facilitate: (1) The statutory provisions that "non-profit entity" may be exempt from payment of regulatory fees, and (2) the FCC's ability to audit regulatory fee payment information from all regulatees. The FCC must as estimate as accurately as possible the number of payment units and distribute the costs to develop a Regulatory Fee Schedule. These estimates must be adjusted to account for any licensee or regulatee that is exempt from payment of regulatory fees. Therefore, the FCC requires all licensees and regulatees, which claim exemption as a non-profit entity, to provide one-time documentation sufficient to establish their non-profit status. Additionally, any newly licensed or operating non-profit entities must submit documentation of their exempt status within 60 days of receipt of the license, authorization, permit, or commencing operation. Further, the FCC is requesting that it be similarly notified if there are any status changes. Documentation that supports a regulatee's exempt status as a non-profit includes, but is not limited to, an Internal Revenue Service (IRS) Determination Letter, a state charter granting indicating non-profit status, proof of church affiliation, articles of incorporation, and 501(c)(3) letters, *et al.* The FCC may require licensees to submit business data they used to calculate their regulatory fee payments to facilitate the Commission's audit of regulatory fee payment compliance.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10968 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-10-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Reviewed by the Federal Communications Commission, Comments Requested

May 25, 2005.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection(s), as required by the Paperwork Reduction Act (PRA) of 1995, Public Law No. 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act that does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written Paperwork Reduction Act (PRA) comments should be submitted on or before August 1, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all Paperwork Reduction Act (PRA) comments to Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Cathy.Williams@fcc.gov.

FOR FURTHER INFORMATION CONTACT: For additional information or copies of the information collection(s), contact Cathy Williams at (202) 418-2918 or via the Internet at Cathy.Williams@fcc.gov.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0174.

Title: Section 73.1212. Sponsorship Identification; List Retention; Related Requirements.

Form Number: Not applicable.

Type of Review: Extension of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 17,910.

Estimated Time per Response: 4 seconds-6 minutes.

Frequency of Response:

Recordkeeping requirement; Third party disclosure requirement.

Total Annual Burden: 108,051 hours.

Total Annual Cost: None.

Privacy Impact Assessment: No impact(s).

Needs and Uses: 47 CFR Section 73.1212 requires a broadcast station to identify the sponsor of programming for which consideration is provided. For programming advertising commercial products or services, generally mention of the product's name or service constitutes sponsorship identification. For television political advertisements for candidates seeking public office, the sponsor shall be identified with letters equal to or greater than four percent of the vertical height of the television screen. In addition, when an entity rather than an individual sponsors broadcast programming of a political or controversial nature, the licensee must retain a list of the executive officers, board of directors, or executive committee, etc., of the organization paying for the programming. Sponsorship announcements are waived when broadcasting "want ads" are sponsored by individuals.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10969 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-10-P

FEDERAL COMMUNICATIONS COMMISSION

Notice of Public Information Collection(s) Being Submitted to OMB for Review and Approval

May 23, 2005.

SUMMARY: The Federal Communications Commission, as part of its continuing effort to reduce paperwork burden invites the general public and other Federal agencies to take this opportunity to comment on the following information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. An agency may not conduct or sponsor a collection of information unless it displays a currently valid control number. No person shall be subject to any penalty for failing to comply with a collection of information subject to the Paperwork Reduction Act (PRA) that

does not display a valid control number. Comments are requested concerning (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimate; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

DATES: Written comments should be submitted on or before July 1, 2005. If you anticipate that you will be submitting comments, but find it difficult to do so within the period of time allowed by this notice, you should advise the contact listed below as soon as possible.

ADDRESSES: Direct all comments to Cathy Williams, Federal Communications Commission, Room 1-C823, 445 12th Street, SW., Washington, DC 20554 or via the Internet to Cathy.Williams@fcc.gov or Kristy L. LaLonde, Office of Management and Budget (OMB), Room 10236 NEOB, Washington, DC 20503, (202) 395-3087 or via the Internet at Kristy_L._LaLonde@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: For additional information concerning this information collection(s) contact Cathy Williams at (202) 418-2918 or via the Internet at Cathy.Williams@fcc.gov. If you would like to obtain or view a copy of this revised information collection, you may do so by visiting the FCC PRA web page at: <http://www.fcc.gov/omd/pra>.

SUPPLEMENTARY INFORMATION:

OMB Control Number: 3060-0750.

Title: 47 CFR Section 73.671, Educational and Informational Programming for Children; 47 CFR Section 73.673, Public Information Initiatives Regarding Educational and Informational Programming for Children.

Form Number: Not applicable.

Type of Review: Revision of a currently approved collection.

Respondents: Business or other for-profit entities.

Number of Respondents: 2,350.

Estimated Time per Response: 1-5 minutes.

Frequency of Response: Third party disclosure requirement.

Total Annual Burden: 36,660 hours.

Total Annual Cost: None.

Privacy Impact Assessment: No impact(s).

Needs and Uses: On September 9, 2004, the Commission adopted a Report And Order (R&O) and Further Notice of Proposed Rule Making (FNPRM), In The Matter of Children's Television Obligations of Digital Television Broadcasters, FCC 04-221, MM Docket No. 00-167. 47 CFR Section 73.673 is amended to remove program identification requirements. New identification requirements are in Section 73.671. Section 73.673 now states that each commercial television broadcast station licensee shall provide information identifying programming specifically designed to educate and inform children to publishers of program guides. Such information shall include an indication of the age group for this the program is intended. 47 CFR Section 73.671 states that each commercial and noncommercial educational television broadcast station licensee has an obligation to serve, over the term of its license, the Educational and Informational (E/I) needs of children ("Core Programming") through both the licensee's overall programming and programming specifically designed to serve such needs. In order for a program to be identified as a core educational program, the E/I symbol must be displayed throughout the program. These changes are intended to provide greater clarity about broadcasters' obligations under the Children's Television Act (CTA) of 1990 which specified the airing of programs "specifically designed" to serve the educational and informational needs of children and to improve public access to information about the availability of these programs. These requirements will provide better information to the public about the shows broadcasters air to satisfy their obligation to provide educational and informational programming under the Children's Television Act of 1990.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10970 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-05-61-C; (Auction No. 61; DA 05-1499)]

Auction of Automated Maritime Telecommunications System Licenses Scheduled for August 3, 2005; Revised Upload Instructions for FCC Form 175 Ownership Disclosure Data

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document announces revised procedures for uploading ownership disclosure data in the Integrated Spectrum Auction System (ISAS) for Auction No. 61.

DATES: Auction No. 61 is scheduled to begin on August 3, 2005.

FOR FURTHER INFORMATION CONTACT: FCC Auctions Technical Support Hotline at (877) 480-3201, option nine; (202) 414-1250; or (202) 414-1255 (TTY) for any questions regarding the instructions for uploading ownership data. The FCC Auctions Technical Support Hotline hours of service are 8 a.m.-6 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: This is a summary of the *Auction No. 61 Revised Instructions Public Notice* released on May 24, 2005. The complete text of the *Auction No. 61 Revised Instructions Public Notice*, as well as related Commission documents, is available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW., Room CY-A257, Washington, DC 20554. The *Auction No. 61 Revised Instructions Public Notice* and related Commission documents may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or you may contact BCPI at its Web site: <http://www.BCPIWEB.com>. The *Auction No. 61 Revised Instructions Public Notice* and related documents are also available on the Internet at the Commission's Web site: <http://wireless.fcc.gov/auctions/60/>.

1. On April 21, 2005, the Wireless Telecommunications Bureau (Bureau) released a public notice announcing the procedures and minimum opening bid amounts for the upcoming auction of licenses in the Automated Maritime Telecommunications System scheduled for August 3, 2005 (Auction No. 61). Attachment C to the *Auction No. 61*

Procedures Public Notice, 70 FR 29497, May 23, 2005, provided instructions for electronic filing and review of the FCC Form 175, and Section B.4.e. of Attachment C provided detailed instructions for uploading a text file of ownership disclosure data in the Integrated Spectrum Auction System (ISAS).

2. The instructions for uploading ownership data in a text file have been modified due to system enhancements. New instructions are provided at <http://wireless.fcc.gov/auctions/ownership-upload>. Prospective applicants should not use the instructions that are attached to the *Auction No. 61 Procedures Public Notice*.

Federal Communications Commission.

Gary D. Michaels,

Deputy Chief, Auctions and Spectrum Access Division, WTB.

[FR Doc. 05-10976 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[Report No. AUC-05-60-C; (Auction No. 60); DA 05-1498]

Auction of Lower 700 MHz Band Licenses Scheduled for July 20, 2005; Revised Upload Instructions for FCC Form 175 Ownership Disclosure Data

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: This document announces revised procedures for uploading ownership disclosure data in the Integrated Spectrum Auction System (ISAS) for Auction No. 60.

DATES: Auction No. 60 is scheduled to begin on July 20, 2005.

FOR FURTHER INFORMATION CONTACT: FCC Auctions Technical Support Hotline at (877) 480-3201, option nine; (202) 414-1250; or (202) 414-1255 (TTY) for any questions regarding the instructions for uploading ownership data. The FCC Auctions Technical Support Hotline hours of service are 8 a.m.-6 p.m. ET, Monday through Friday.

SUPPLEMENTARY INFORMATION: This is a summary of the *Auction No. 60 Revised Instructions Public Notice* released on May 24, 2005. The complete text of the *Auction No. 60 Revised Instructions Public Notice*, as well as related Commission documents, is available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, SW., Room CY-A257,

Washington, DC 20554. The *Auction No. 60 Revised Instructions Public Notice* and related Commission documents may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc. (BCPI), Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, telephone 202-488-5300, facsimile 202-488-5563, or you may contact BCPI at its Web site: <http://www.BCPIWEB.com>. The *Auction No. 60 Revised Instructions Public Notice* and related documents are also available on the Internet at the Commission's Web site: <http://wireless.fcc.gov/auctions/60/>.

1. On March 22, 2005, the Wireless Telecommunications Bureau (Bureau) released a public notice announcing the procedures and minimum opening bid amounts for the upcoming auction of licenses in the Lower 700 MHz band C block (710-716/740-746 MHz) scheduled for July 20, 2005 (Auction No. 60). Attachment D to the *Auction No. 60 Procedures Public Notice*, 70 FR 25045, May 12, 2005, provided instructions for electronic filing and review of the FCC Form 175, and Section B.4.e. of Attachment D provided detailed instructions for uploading a text file of ownership disclosure data in the Integrated Spectrum Auction System (ISAS).

2. The instructions for uploading ownership data in a text file have been modified due to system enhancements. New instructions are provided at <http://wireless.fcc.gov/auctions/ownership-upload>. Prospective applicants should not use the instructions that are attached to the *Auction No. 60 Procedures Public Notice*.

Federal Communications Commission.

Gary D. Michaels,

Deputy Chief, Auctions and Spectrum Access Division, WTB.

[FR Doc. 05-10977 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[DA 05-1323]

Consumer Advisory Committee

AGENCY: Federal Communications Commission.

ACTION: Notice.

SUMMARY: In this document, the Commission announces the appointment of twenty (20) additional members to its Consumer Advisory Committee ("Committee").

ADDRESSES: Federal Communications Commission, 445 12th Street, NW., Room TW-C-305, Washington, DC 20554.

DATES: The Consumer Advisory Committee Meeting previously announced at 70 FR 16284 has been rescheduled for Friday, June 10, 2005, 9 a.m. to 4 p.m.

FOR FURTHER INFORMATION CONTACT:

Scott Marshall, Consumer & Governmental Affairs Bureau, (202) 418-2809 (voice), (202) 418-0179 (TTY), or e-mail scott.marshall@fcc.gov.

SUPPLEMENTARY INFORMATION: On March 8, 2005, the Commission previously announced the appointment of thirty-five (35) members to the Committee. See Public Notice DA 05-549 published at 70 FR 16284, March 30, 2005. By Public Notice dated and released on May 26, 2005 (DA 05-1323), the Commission announced the appointment of twenty (20) additional members to the committee. Of this number, five (5) members represent consumer interests; nine (9) members represent disability interests; one (1) member represents the interests of state regulators, and three (3) members represent industry interests. In addition, two (2) individuals have been selected to serve based upon their expertise in areas including broadband deployment, telecommunications relay services, and captioned-telephone services. The Committee's slate is designed to be representative of the Commission's many constituencies, and the expertise and diversity selected will provide a balanced point of view as required by the Federal Advisory Committee Act all appointments are effective immediately and shall terminate November 19, 2006, or when the Committee is terminated, whichever is earlier.

The Additional Committee Members are as follows:

1. Alexander Graham Bell Association for the Deaf and Hard of Hearing, Janice Schacter;

2. Association for Communications Technology Professionals in Higher Education, Tamara Closs;

3. Association of Assistive Technology Act Programs, Deborah Buck;

4. AT&T, Michael F. DelCasino;

5. BellSouth, John A. Ruscilli;

6. Center for Democracy and Technology, John Morris;

7. Communications Services for the Deaf, Ann Marie Mickelson;

8. Communications Works of the Deaf, Greg Frohriep;

9. Democracy Now! Publications, Denis Moynihan;

10. James J. Elekes (individual representing the interests of the blind or visually impaired community);

11. EAD & Associates, LLC, Elizabeth Davis;

12. Mission Consulting, Judy Viera;

13. Registry of Interpreters for the Deaf, Cheryl Moose;

14. Ron Bibler (individual with expertise in telecommunications relay and captioned telephone services);

15. San Carlos Apache Telecommunications Utility, Vernon R. James;

16. State of Hawaii, Division of Consumer Advocacy, John Cole;

17. TCS Associates, Dana Marlow;

18. Telecommunications Research and Action Center, John Breyault;

19. TeleCommunity Resource Center, Gene Crick;

20. Wayne Caswell (individual with expertise in deployment of broadband).

Accessible Formats

To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY).

Federal Communications Commission.

Monica Desai,

Acting Chief, Consumer & Governmental Affairs Bureau.

[FR Doc. 05-10971 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

Network Reliability and Interoperability Council

AGENCY: Federal Communications Commission.

ACTION: Notice of public meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act (FACA), this notice advises interested persons of the fifth meeting of the Network Reliability and Interoperability Council (Council) under its charter renewed as of December 29, 2003. The meeting will be held at the Federal Communications Commission in Washington, DC.

DATES: Tuesday, June 28, 2005 beginning at 10 a.m. and concluding at 1 p.m.

ADDRESSES: Federal Communications Commission, 445 12th St., SW., Room TW-305, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Jeffery Goldthorp, the Designated

Federal Officer (DFO) at (202) 418-1096 or Jeffery.Goldthorp@fcc.gov. The TTY number is: (202) 418-2989.

SUPPLEMENTARY INFORMATION: The purpose of the Council is to provide recommendations to the FCC and to the communications industry that, if implemented, shall under all reasonably foreseeable circumstances assure optimal reliability and interoperability of wireless, wireline, satellite, cable, and public data networks. At this fifth meeting under the Council's new charter, the Council will discuss potential recommendations in the areas of E911 implementation and evolution as well as review the status of various working groups.

Members of the general public may attend the meeting. The Federal Communications Commission will attempt to accommodate as many people as possible. Admittance, however, will be limited to the seating available. The public may submit written comments before the meeting to Jeffery Goldthorp, the Commission's Designated Federal Officer for the Network Reliability and Interoperability Council, by email (Jeffery.Goldthorp@fcc.gov) or U.S. Postal Service mail (7-A325, 445 12th St, SW., Washington, DC 20554). Real Audio and streaming video access to the meeting will be available at <http://www.fcc.gov/realaudio/>.

Federal Communications Commission.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10657 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 2711]

Petitions for Reconsideration of Action in Rulemaking Proceeding

May 23, 2005.

Petitions for Reconsideration have been filed in the Commission's Rulemaking proceeding listed in this Public Notice and published pursuant to 47 CFR 1.429(e). The full text of this document is available for viewing and copying in Room CY-B402, 445 12th Street, SW., Washington, DC or may be purchased from the Commission's copy contractor, Best Copy and Printing, Inc. (BCPI) (1-800-378-3160). Oppositions to these petitions must be filed by June 16, 2005. See § 1.4(b)(1) of the Commission's rules (47 CFR 1.4(b)(1)). Replies to an opposition must be filed within 10 days after the time for filing oppositions have expired.

Subject: In the Matter of Amendment of Part 22 of the Commission's Rules to Benefit the Consumers of Air-Ground Telecommunications Services (WT Docket No. 03-103); Biennial Regulatory Review—Amendment of Parts 1, 22 and 90 of the Commission's Rules; Application of Verizon Airfone Inc for Renewal of 800 MHz Air-Ground Radiotelephone License, Call Sign KNKG804 (File No. 0001716212).

Number of Petitions Filed: 2.

Marlene H. Dortch,

Secretary.

[FR Doc. 05-10734 Filed 5-31-05; 8:45 am]

BILLING CODE 6712-01-P

FEDERAL RESERVE SYSTEM

Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies

The notificants listed below have applied under the Change in Bank Control Act (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire a bank or bank holding company. The factors that are considered in acting on the notices are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The notices are available for immediate inspection at the Federal Reserve Bank indicated. The notices also will be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing to the Reserve Bank indicated for that notice or to the offices of the Board of Governors. Comments must be received not later than June 13, 2005.

A. Federal Reserve Bank of Atlanta (Andre Anderson, Vice President) 1000 Peachtree Street, N.E., Atlanta, Georgia 30303:

1. *Mullins, John Joseph*, Cullman, Alabama, to acquire voting shares of FCB Bancshares, Inc., and thereby indirectly acquire Premier Bank of the South, Good Hope, Alabama.

B. Federal Reserve Bank of Minneapolis (Jacqueline G. Nicholas, Community Affairs Officer) 90 Hennepin Avenue, Minneapolis, Minnesota 55480-0291:

2. *West, Dennis W., Rice Lake, Wisconsin*, to acquire voting shares of Rice Lake Bancorp, Inc., Rice Lake, Wisconsin and thereby indirectly acquire Dairy State Bank, Rice Lake, Wisconsin and First Bank & Trust, Menominee, Wisconsin.

Board of Governors of the Federal Reserve System, May 25, 2005.

Robert deV. Frierson,

Deputy Secretary of the Board.

[FR Doc. 05-10794 Filed 5-31-05; 8:45 am]

BILLING CODE 6210-01-P

OFFICE OF GOVERNMENT ETHICS

Submission for OMB Review; Comment Request for Unmodified Qualified Trust Model Certificates and Model Trust Documents

AGENCY: Office of Government Ethics (OGE).

ACTION: Notice.

SUMMARY: The Office of Government Ethics has submitted the executive branch qualified trust model certificates and model trust documents to the Office of Management and Budget (OMB) for review and two-year extension of approval under the Paperwork Reduction Act. A total of twelve OGE model certificates and model documents for qualified trusts are involved. OGE is proposing no changes to these forms.

DATES: Comments by the public and agencies on this information collection, as proposed with no modifications, should be received by July 1, 2005.

ADDRESSES: Comments should be sent to Brenda Aguilar, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Room 10235, Washington, DC 20503; Telephone: 202-395-6929; FAX: 202-395-6974; E-mail: brenda_aguilar@omb.eop.gov.

FOR FURTHER INFORMATION CONTACT: Mary T. Donovan at the U.S. Office of Government Ethics; Telephone: 202-482-9232; TDD: 202-482-9293; FAX: 202-482-9237; E-mail: mtdonova@oge.gov. Copies of the executive branch qualified trust model certificates and documents may be obtained, without charge, by contacting Ms. Donovan.

SUPPLEMENTARY INFORMATION: The Office of Government Ethics has submitted unmodified versions of all twelve qualified trust certificates and model documents for a two-year extension of approval by OMB under the Paperwork Reduction Act (44 U.S.C. chapter 35). The twelve documents, all included under OMB paperwork control number 3209-0007, are scheduled to expire at the end of June 2005.

On January 7, 2005, OGE issued its first round **Federal Register** notice to announce its forthcoming request to OMB for paperwork renewal of the unmodified qualified trust model

certificates and model trust documents. See 70 FR 1444-1446, with comments due by March 23, 2005. (OGE did not receive any comments or requests for copies of the unmodified qualified trust model certificates and model trust documents.) In that notice, and this one, OGE has proposed no changes to the qualified trust model documents at this time. In late 2006, OGE anticipates modifying some or all of these information collections by re-writing them in plain English to make them easier to understand.

In 2003, OGE updated the OGE/GOVT-1 system of records notice (covering SF 278 Public Financial Disclosure Reports and other name-retrieved ethics program records), including the addition of the three new routine uses. As a result, the Privacy Act Statement on each of the trust documents, which include paraphrases of the routine uses, is affected. OGE has not incorporated this revision into the trust documents at this time, since a more thorough revision of the trust documents is planned in the next year or two. However, upon distribution of the trust documents, OGE will inform users of the revision to the Privacy Act Statement. OGE has included a summary of the changes relevant to the trust documents in its paperwork clearance submission to OMB.

OGE is the supervising ethics office for the executive branch of the Federal Government under the Ethics in Government Act of 1978 (Ethics Act). Presidential nominees to executive branch positions subject to Senate confirmation and any other executive branch officials may seek OGE approval for Ethics Act qualified blind or diversified trusts to be used to avoid conflicts of interest.

OGE is the sponsoring agency for the model certificates and model trust documents for qualified blind and diversified trusts of executive branch officials set up under section 102(f) of the Ethics Act, 5 U.S.C. app. § 102(f), and OGE's implementing financial disclosure regulations at subpart D of 5 CFR part 2634. The various model certificates and model trust documents are utilized by OGE and settlors, trustees and other fiduciaries in establishing and administering these qualified trusts.

There are two categories of information collection requirements which OGE plans to submit, each with its own related reporting model certificates or model trust documents which are subject to paperwork review and approval by OMB. The OGE regulatory citations for these two categories, together with identification

of the forms used for their implementation, are as follows:

i. Qualified trust certifications—5 CFR 2634.401(d)(2), 2634.403(b)(11), 2634.404(c)(11), 2634.406(a)(3) & (b), 2634.408, 2634.409 and appendixes A & B to part 2634 (the two implementing forms, the Certificate of Independence and Certificate of Compliance, are codified respectively in the cited appendixes; see also the Privacy Act and Paperwork Reduction Act notices thereto in appendix C); and

ii. Qualified trust communications and model provisions and agreements—5 CFR 2634.401(c)(1)(i) & (d)(2), 2634.403(b), 2634.404(c), 2634.408 and 2634.409 (the ten implementing forms are the: (A) Blind Trust Communications (Expedited Procedure for Securing Approval of Proposed Communications); (B) Model Qualified Blind Trust Provisions; (C) Model Qualified Diversified Trust Provisions; (D) Model Qualified Blind Trust Provisions (For Use in the Case of Multiple Fiduciaries); (E) Model Qualified Blind Trust Provisions (For Use in the Case of an Irrevocable Pre-Existing Trust); (F) Model Qualified Diversified Trust Provisions (Hybrid Version); (G) Model Qualified Diversified Trust Provisions (For Use in the Case of Multiple Fiduciaries); (H) Model Qualified Diversified Trust Provisions (For Use in the Case of an Irrevocable Pre-Existing Trust); (I) Model Confidentiality Agreement Provisions (For Use in the Case of a Privately Owned Business); and (J) Model Confidentiality Agreement Provisions (For Use in the Case of Investment Management Activities)).

The communications formats and the confidentiality agreements (items ii (A), (I) and (J) above) would not be available to the public because they contain sensitive, confidential information. All the other completed model trust certificates and model trust documents (except for any trust provisions that relate to the testamentary disposition of trust assets) are publicly available based upon a proper Ethics Act request (via an OGE Form 201).

The hour burden listed below is based on the amount of time imposed on a trust administrator or private representative. The detailed paperwork estimates below for the various trust certificates and model documents (an estimated total of 46 per year, down 248 from the prior three-year period) are based primarily on OGE's experience with administration of the qualified trust program.

i. Trust Certificates:

A. Certificate of Independence: Total filers (executive branch): 5; Private

citizen filers (100%): 5; OGE-processed certificates (private citizens): 5; private citizen burden hours (20 minutes/certificate): 2.

B. Certificate of Compliance: Total filers (executive branch): 10; Private citizen filers (100%): 10; OGE-processed certificates (private citizens): 10; private citizen burden hours (20 minutes/certificate): 3; and

ii. Model Qualified Trust Documents:

A. Blind Trust Communications: Total Users (executive branch): 5; Private citizen users (100%): 5; OGE-processed documents (private citizens): 25 (based on an average of five communications per user, per year); private citizen burden hours (20 minutes/communication): 8.

B. Model Qualified Blind Trust: Total Users (executive branch): 2; Private citizen users (100%): 2; OGE-processed models (private citizens): 2; private citizen burden hours (100 hours/model): 200.

C. Model Qualified Diversified Trust: Total users (executive branch): 1; Private citizen users (100%): 1; OGE-processed models (private citizens): 1; private citizen burden hours (100 hours/model): 100.

D.–H. Of the five remaining model qualified trust documents: Total users (executive branch): 2; Private citizen users (100%): 2; OGE-processed models (private citizens): 2; private citizen burden hours (100 hours/model): 200.

I.–J. Of the two model confidentiality agreements: Total users (executive branch): 1; Private citizen users (100%): 1; OGE-processed agreements (private citizens): 1; private citizen burden hours (50 hours/agreement): 50.

The total annual reporting hour burden, however, is zero (a change from the 563 hours estimate in the first round **Federal Register** notice and the 3,785 hours from the prior three-year period). After consultation with OMB, OGE has reexamined its estimating methodology to reflect the fact that all respondents hire private trust administrators or other private representatives to set up and maintain the qualified blind and diversified trusts. Respondents themselves, typically incoming private citizen Presidential nominees, incur no hour burden.

The new estimated total annual cost burden to respondents resulting from the collection of information is \$1,000,000. Those who use the model documents for guidance are private trust administrators or other private representatives hired to set up and maintain the qualified blind and diversified trusts of executive branch officials who seek to establish qualified trusts. The cost burden figure is based

primarily on OGE's knowledge of the typical trust administrator fee structure (an average of 1 percent of total assets) and OGE's experience with administration of the qualified trust program. The \$1,000,000 annual cost figure is based on OGE's estimate of five active trusts anticipated to be under administration each year with combined total assets of \$100,000,000. However, OGE notes that the \$1,000,000 figure is a cost estimate for the overall administration of the trusts, only a portion of which relates to information collection and reporting. For want of a precise way to break out the costs directly associated with information collection, OGE is reporting to OMB the full \$1,000,000 estimate for paperwork clearance purposes.

In this second round notice, public comment is again invited on each aspect of the model qualified trust certificates and model trust documents, and underlying regulatory provisions, as set forth in this notice, including specific views on the need for and practical utility of this set of collections of information, the accuracy of OGE's burden estimate, the potential for enhancement of quality, utility and clarity of the information collected, and the minimization of burden (including the use of information technology). The Office of Government Ethics, in consultation with OMB, will consider all comments received, which will become a matter of public record.

Approved: May 24, 2005.

Marilyn L. Glynn,

Acting Director, Office of Government Ethics.
[FR Doc. 05–10822 Filed 5–31–05; 8:45 am]

BILLING CODE 6345–02–P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Epidemiologic HIV/AIDS Research Among African American and Hispanic Women at Risk for HIV Infection in the Southern United States and Puerto Rico

Announcement Type: New Cooperative Agreement.

Funding Opportunity Number: PS05–107.

Catalog of Federal Domestic Assistance Number: 93.943.

Key Dates:

Letter of Intent Deadline: July 1, 2005.

Application Deadline: July 18, 2005.

I. Funding Opportunity Description

Authority: Public Health Service Act, Section 317(k)(2) (42 U.S.C. Section 247b(k)(2) as amended).

Background: Since the beginning of the AIDS epidemic, most of the persons identified to be at risk for HIV–1 infection in the United States have been men who have sex with men or injection drug users. However, over the past 15 years, the HIV infection rate among women at heterosexual risk has steadily increased. In 2002, surveillance data demonstrated that heterosexual transmission accounted for most of the AIDS cases reported among U.S. women, particularly affecting women of color in the Southern United States. The rate of AIDS diagnoses among African American women is 48.6 per 100,000 and among those aged 25–44 years, AIDS is the second most frequent cause of death. Hispanic women of the same age group have the second highest mortality rate from AIDS. Limited research data suggest that the character and dynamics of women's sexual relationships may be important determinants of risk, both for engaging in risk behaviors and for doing so with high-risk partners. In addition, their vulnerability is connected to a variety of socioeconomic factors, including delayed access to care and support for HIV/AIDS.

Purpose: The purposes of this project are to support research on the epidemiologic, socio-cultural, structural, psychological, and behavioral factors that promote HIV infection in African American and Hispanic women; and to increase understanding of the factors related to the prevalence of HIV infection, and incidence of recent infection, in these populations. This announcement addresses the "Healthy People 2010" focus areas of HIV and the goals of CDC's HIV prevention strategic plan through 2005.

Measurable outcomes of the program will align with one (or more) of the following performance goal(s) for the National Center for HIV, STD, and TB Prevention (NCHSTP):

- Decrease the number of persons at high risk of acquiring or transmitting HIV infection.
- Increase the proportion of HIV-infected persons who know they are infected.
- Increase the number of HIV-infected persons who are linked to appropriate prevention, care, and treatment services.
- Strengthen the capacity nationwide to monitor the HIV epidemic.

Research Objectives: The program will support four sites to work

collaboratively with each other and with CDC investigators in conducting a multi-center cross-sectional study that includes epidemiologic and behavioral electronic data collection through the use of personal digital assistants (PDAs), oral rapid HIV and urine sexually transmitted disease (STD) testing, and a qualitative component among African American and Hispanic women at risk for HIV infection in the Southern United States and Puerto Rico. Applicants should indicate clearly whether their application pertains to Hispanic or African American women. Applicants are also strongly encouraged to propose two site investigators: a junior research investigator as the site primary investigator, who is able to devote at least 30 percent full time effort to the project, and a senior investigator able to devote at least 10 percent full time effort to the project. At each site, awardees will be expected to enroll 300–500 women.

In conducting the research, awardees will be expected to establish a partnership with at least one community-based organization (CBO) to consult on all aspects of conducting the study, and to help link participants to prevention and medical services.

Assessing the prevalence of HIV infection and incidence of early infection is also a central component of the research. Understanding the risk factors associated with recent HIV seroconversion will inform the design of future prevention interventions or programs. In addition to performing rapid oral HIV testing of participants, applicants should be prepared to use standard serologic assays to confirm preliminary positive results and to process and ship specimens from HIV-infected persons to a CDC-designated laboratory facility in New York State for testing by using the Serologic Testing Algorithm for Recent HIV Seroconversion (STARHS) to identify recent seroconversions. Applicants should also indicate how culturally and gender-tailored pre- and post-test counseling and referral to medical care, prevention services, and other services (social, mental health, drug treatment, etc.) will be provided to those in need. After sites are funded, but before research activities begin, awardees and CDC investigators will work collaboratively to refine the protocols so that they fit together as a whole and address the research issues in a scientifically rigorous manner.

Activities: In conducting activities to achieve the purpose of these programs, the awardee will be responsible for the activities listed under “Awardee Activities,” and CDC will be responsible

for conducting activities listed under CDC Activities.

Awardee Activities for this program are as follows:

a. Collaborate with other CDC-sponsored researchers, including developing and using common data collection instruments, specimen collection protocols, and data management procedures, as determined in post-award awardee planning conferences. Recipients will be required to pool data for analysis and publication.

b. Attend meeting(s) at CDC to develop collaborative research protocol. Must be prepared to attend first meeting on September 29, 2005.

c. Identify, recruit, obtain informed consent from, and enroll an adequate number of study participants, as determined by the study protocol and the program requirements.

d. Establish procedures to maintain the rights and confidentiality of all study participants.

e. Perform laboratory tests and data analysis as determined in the study protocol.

f. Collaborate and share data and specimens (when appropriate) with other collaborators to answer specific research questions.

g. Conduct data analysis with all collaborators.

h. Present and publish research findings.

i. Participate in conference calls (two per month) with all collaborators.

j. Attend biannual CDC meetings with other funded grantees.

k. Establish a partnership with at least one CBO to consult on all aspects of conducting the study and to help link participants to prevention and medical services.

In a cooperative agreement, CDC staff is substantially involved in the program activities, above and beyond routine grant monitoring.

CDC Activities for this program are as follows:

a. Provide technical assistance as needed in the design and conduct of the research.

b. Facilitate and assist in the development of a research protocol for Institutional Review Board (IRB) review by all cooperating institutions participating in the research project. The CDC IRB will review and approve the protocol initially and on at least an annual basis until the research project is completed.

c. Provide study software and assist in designing data management systems.

d. Assist, as needed, in performance of selected laboratory tests.

e. Assist in the analysis of research information, and the presentation and publication of research findings.

f. Conduct annual site visits.

g. Organize and conduct site investigators' meetings in Atlanta.

II. Award Information

Type of Award: Cooperative Agreement. CDC involvement in this program is listed in the preceding Activities section.

Mechanism of Support: U19.

Fiscal Year Funds: 2005.

Approximate Total Funding: \$1,000,000 (This amount is an estimate, and is subject to availability of funds.)

Approximate Number of Awards: Three-Four.

Approximate Average Award: \$250,000–\$320,000 per site. (This amount is for the first 12-month budget period.)

Funding Preferences: Funding decisions will attempt to achieve ethnic and geographic diversity among the four sites.

Floor of Award Range: None.

Ceiling of Award Range: \$320,000.

Anticipated Award Date: August 31, 2005.

Budget Period Length: 12 months.

Project Period Length: Four years.

Throughout the project period, CDC's commitment to continuation of awards will be conditioned on the availability of funds, evidence of satisfactory progress by the recipient (as documented in required reports), and the determination that continued funding is in the best interest of the federal government.

III. Eligibility Information

III.1. Eligible Applicants

Applications may be submitted by public and private nonprofit organizations and by governments or their Bona Fide Agents located in the southern states of Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia, and in the District of Columbia and the Commonwealth of Puerto Rico:

A Bona Fide Agent is an agency/organization identified by the state as eligible to submit an application under the state eligibility in lieu of a state application. If you are applying as a bona fide agent of a state or local government, you must provide a letter from the state or local government as documentation of your status. Place this documentation behind the first page of your application form.

Selection of the listed states, the District of Columbia, and the

Commonwealth of Puerto Rico is based on 2002 surveillance data that demonstrated heterosexual transmission accounted for most AIDS cases reported among U.S. women, particularly affecting women of color in the southern U.S. The rate of AIDS diagnoses among African American women is 48.6 per 100,000 and, among those aged 25–44 years, AIDS is the second most frequent cause of death. Hispanic women of the same age group have the second highest mortality rate from AIDS.

III.2. Cost Sharing or Matching

Matching funds are not required for this program.

III.3. Other

CDC will accept and review applications with budgets greater than the ceiling of the award range.

Special Requirements: If your application is incomplete or nonresponsive to the requirements listed in this section, it will not be entered into the review process. You will be notified that your application did not meet submission requirements.

- Late applications will be considered nonresponsive. See section “IV.3. Submission Dates and Times” for more information on deadlines.

- Applicants must demonstrate research will occur in African American or Hispanic female populations at risk for HIV infection by including in their research proposal applicable data (state/local surveillance or research data) indicating high rates of HIV/AIDS diagnoses among women in the proposed research population.

- Priority will be given to applications that include two site investigators—a senior research investigator (10 percent full time effort) and a junior research investigator (30 percent full time effort, who will serve as the primary site investigator)—with direct links to or involvement with the specified study population.

- **Note:** Title 2 of the United States Code, Section 1611, states that an organization described in Section 501(c)(4) of the Internal Revenue Code that engages in lobbying activities is not eligible to receive federal funds constituting an award, grant, or loan.

Individuals Eligible to Become Principal Investigators: Any individual with the skills, knowledge, and resources necessary to carry out the proposed research is invited to work with their institution to develop an application for support. Individuals from underrepresented racial and ethnic groups as well as individuals with disabilities are always encouraged to apply for CDC programs.

Additional Principal Investigator qualifications that must be met and demonstrated are: (1) Possession of a research or health-professional doctorate-level degree from an accredited school/program within the past 10 years; (2) knowledge about HIV/AIDS epidemiology and prevention, as well as basic, but minimal, research experience in or related to the field of HIV/AIDS; (3) personal experience working in minority communities, and the ability to access female study populations from these communities; and (4) the ability to establish effective and well-defined working relationships with community advisory boards, community-based organizations, or similar entities that can ensure the appropriateness of proposed research and implementation of the proposed activities.

IV. Application and Submission Information

IV.1. Address To Request Application Package

To apply for this funding opportunity, use application form PHS 398 (OMB number 0925–0001 rev. 9/2005). Forms and instructions are available in an interactive format on the CDC Web site, at the following Internet address: <http://www.cdc.gov/od/pgo/forminfo.htm>.

Forms and instructions are also available in an interactive format on the National Institutes of Health (NIH) Web site at the following Internet address: <http://grants.nih.gov/grants/funding/phs398/phs398.html>.

If you do not have access to the Internet, or if you have difficulty accessing the forms online, you may contact the CDC Procurement and Grants Office Technical Information Management Section (PGO–TIM) staff at 770–488–2700. Application forms can be mailed to you.

IV.2. Content and Form of Application Submission

Letter of Intent (LOI): Your LOI must be written in the following format:

- Maximum number of pages: Two
- Font size: 12-point unredacted
- Double spaced
- Paper size: 8.5 by 11 inches
- Page margin size: One inch
- Printed only on one side of page
- Written in plain language, avoid jargon

Your LOI must contain the following information:

- Descriptive title of the proposed research
- Name, address, E-mail address, telephone number, and FAX number of the Principal Investigator

- Names of other key personnel
- Participating institutions
- Number and title of this

Announcement

Application: Follow the PHS 398 application instructions for content and formatting of your application. If the instructions in this announcement differ in any way from the PHS 398 instructions, follow the instructions in this announcement. For further assistance with the PHS 398 application form, contact PGO–TIM staff at 770–488–2700.

The research plan should be limited to 25 double-spaced, single-sided pages of 12-point font. All tables, graphs, figures, diagrams, and charts must be included in the 25-page limit. There is no requirement to use all 25 pages; however, the additional pages in proposals exceeding 25 pages will not be read and considered in the scoring. The plan should address activities to be conducted over the entire project period. The narrative, at a minimum, should include a background of HIV/AIDS in the proposed community, research objectives, methods, evaluation, budget, and time line.

In addition to the 25-page narrative, applicants must also include two appendices containing letters of support from community groups and other institutions, and curriculum vitas (CVs) of key personnel.

Applicants should develop and propose in their research plans:

(1) A variety of effective local sampling and recruitment strategies that demonstrate their ability to enroll women at sexual risk of HIV infection.

(2) Explicitly stated conceptual hypotheses, grounded in relevant literature, about what might promote HIV risk or serve as a protective role among African American and Hispanic women; gender and culturally sensitive measures should be incorporated to characterize and assess those hypotheses. These measures may consist of epidemiologic, socio-cultural, structural, psychological, and behavioral factors.

These factors may include, but are not limited to:

- Cultural attitudes and values
- Social and economic discrimination
- Social and sexual networks
- Acculturation, immigration, and ethnic relations
- Family relations
- Community involvement
- Experience with and influence of correctional systems
- Self-esteem
- Resiliency
- Religious beliefs
- Beliefs about HIV disease and its treatment

- HIV testing history and perceived and actual barriers to testing
- Factors influencing their choice of sexual partners

- Risk behavior and bisexual practices among their sexual partners

- Drug use
- Fluidity of risk behavior
- Domestic violence

(3) Methodology for the conduct of both a quantitative epidemiologic survey, as well as a qualitative research survey, with a subset of the women.

(4) Gender and culturally appropriate HIV counseling and testing by using rapid oral testing (see second paragraph below).

(5) Stringent safeguards for protecting confidentiality of research study participants.

You are required to have a Dun and Bradstreet Data Universal Numbering System (DUNS) number to apply for a grant or cooperative agreement from the federal government. Your DUNS number must be entered on line 11 of the face page of the PHS 398 application form. The DUNS number is a nine-digit identification number, which uniquely identifies business entities. Obtaining a DUNS number is easy and there is no charge. To obtain a DUNS number, access www.dunandbradstreet.com or call 1-866-705-5711. For more information, see the CDC Web site at this Internet address: <http://www.cdc.gov/od/pgo/funding/pubcomm1.htm>.

This announcement uses the non-modular budgeting format.

Additional requirements that may require you to submit additional documentation with your application are listed in section "VI.2. Administrative and National Policy Requirements."

IV.3. Submission Dates and Times

LOI Deadline Date: July 1, 2005.

CDC requests that you submit a letter of intent (LOI) if you intend to apply for this program. Although the LOI is not required, not binding, and does not enter into the review of your subsequent application, the LOI will be used to gauge the level of interest in this program and allow CDC to plan the application review.

Application Deadline Date: July 18, 2005.

Explanation of Deadlines: LOIs must be received in the CDC Office of Public Health Research (OPHR) and applications must be received in the CDC Procurement and Grants Office by 4 p.m. Eastern Time on the deadline date. If you submit your application by the United States Postal Service or commercial delivery service, you must

ensure that the carrier will be able to guarantee delivery by the closing date and time. If CDC receives your submission after the closing date and time because of: (1) Carrier error, when the carrier accepted the package with a guarantee for delivery by the closing date and time, or (2) significant weather delays or natural disasters, you will be given the opportunity to submit documentation of the carrier's guarantee. If the documentation verifies a carrier problem, CDC will consider the submission as having been received by the deadline.

This announcement is the definitive guide on the LOI and application content, submission address, and deadline. It supersedes information provided in the application instructions. If your application does not meet the previously cited deadline, it will not be eligible for review and will be discarded. You will be notified that you did not meet the submission requirements.

CDC will not notify you upon receipt of your submission. If you have a question about the receipt of your LOI or application, first contact your courier. If you still have a question concerning your LOI, contact the OPHR staff at 404-371-5277. If you still have a question about your application, contact the PGO-TIM staff at 770-488-2700. Before calling, please wait two to three days after the submission deadline. This will allow time for submissions to be processed and logged.

IV.4. Intergovernmental Review of Applications

Your application is subject to Intergovernmental Review of Federal Programs, as governed by Executive Order (EO) 12372. This order sets up a system for state and local governmental review of proposed federal assistance applications. You should contact your state single point of contact (SPOC) as early as possible to alert the SPOC to prospective applications, and to receive instructions on your state's process. Click on the following link to get the current SPOC list: <http://www.whitehouse.gov/omb/grants/spoc.html>.

IV.5. Funding Restrictions

Restrictions, which must be taken into account while writing your budget, are as follows:

- Funds relating to the conduct of research will not be released until the appropriate assurances and Institutional Review Board approvals are in place.
- Reimbursement of pre-award costs is not allowed.

If you are requesting indirect costs in your budget, you must include a copy of your indirect cost rate agreement. If your indirect cost rate is a provisional rate, the agreement should have been in effect less than 12 months.

IV.6. Other Submission Requirements

LOI Submission Address: Submit your LOI by express mail, delivery service, fax, or E-mail to: Mary Lerchen, DrPH (PS05-107), Scientific Review Administrator, CDC/Office of Public Health Research, 1 West Court Square, Suite 7000, Mailstop D-72, Decatur, Georgia 30030, Telephone: 404-371-5277, Fax: 404-371-5215, E-mail: MLerchen@cdc.gov.

Application Submission Address: Submit the original and one hard copy of your application by mail or express delivery service to: Technical Information Management (PS05-107), CDC Procurement and Grants Office, 2920 Brandywine Road, Atlanta, GA 30341.

At the time of submission, four additional copies of the application and all appendices must be sent to: Mary Lerchen, DrPH (PS05-107), Scientific Review Administrator, CDC/Office of Public Health Research, 1 West Court Square, Suite 7000, MS D-72, Decatur, GA 30030, Telephone: 404-371-5277, Fax: 404-371-5215, E-mail: MLerchen@cdc.gov.

Applications may not be submitted electronically at this time.

V. Application Review Information

V.1. Criteria

Applicants are required to provide measures of effectiveness that will demonstrate the accomplishment of the various identified objectives of the cooperative agreement. Measures of effectiveness must relate to the performance goals stated in the "Purpose" section of this announcement. Measures must be objective and quantitative, and must measure the intended outcome. These measures of effectiveness must be submitted with the application and will be an element of evaluation.

The goals of CDC-supported research are to advance the understanding of biological systems, improve the control and prevention of disease and injury, and enhance health. In the written comments, reviewers will be asked to evaluate the application in order to judge the likelihood that the proposed research will have a substantial impact on the pursuit of these goals.

The scientific review group will address and consider each of the following criteria equally in assigning

the application's overall score, weighting them as appropriate for each application. The application does not need to be strong in all categories to be judged likely to have major scientific impact and thus deserve a high priority score. For example, an investigator may propose to carry out important work that by its nature is not innovative, but is essential to move a field forward.

The review criteria are as follows:

Significance: Does this study address an important problem? If the aims of the application are achieved, how will scientific knowledge be advanced? What will be the effect of these studies on the concepts or methods that drive this field?

Approach: Are the conceptual framework, design, methods, and analyses adequately developed, well integrated, and appropriate to the aims of the project? Does the applicant acknowledge potential problem areas and consider alternative tactics? Does the applicant have extensive knowledge of the issues faced by the study population; and experience in working with the population? Are there existing linkages to facilitate recruitment from and referral to programs providing services for the study population, and letters of support? Are the plans to involve the study population, their advocates, or service providers in the development of research activities, and to inform them of research results feasible? Is there evidence that the plans for recruitment and outreach for study participants will include establishing partnerships with communities? Is the quality of the review of the scientific literature pertinent to the proposed study? Does the applicant understand the research objectives as evidenced by the quality of the proposed research plan and specific study design? Is the plan feasible to sample, recruit, and enroll study participants in a culturally and linguistically appropriate manner? Does the plan allow for a demographically diverse sample within the African American or Hispanic female populations and conducting multi-venue sampling? Does the plan include collecting both quantitative and qualitative research data? Does the plan protect the rights and confidentiality of all participants? Does the plan include conducting HIV counseling and testing by using oral rapid HIV tests in a culturally and gender-sensitive manner? Has the Clinical Laboratory Improvement Amendments (CLIA) waiver for testing has been received? Does the plan include collecting and testing blood and urine specimens, in addition to ability to store and ship blood specimens? Is there evidence of a

plan to establish a partnership with at least one community-based organization (CBO) to consult on aspects of conducting the study, and to link participants with prevention and medical services, as needed? Is there evidence of commitment and cooperation of current and potential partners (e.g., letters of support, memorandums of understanding, and examples of prior collaborations)? Is the time line for conducting the research adequate?

Innovation: Does the project employ novel concepts, approaches or methods? Are the aims original and innovative? Does the project challenge existing paradigms or develop new methodologies or technologies? Is the research original and will it address important gaps in knowledge?

Investigator: Is the investigator appropriately trained and well suited to carry out this work? Is the work proposed appropriate to the experience level of the principal investigator and other researchers (if any)? Does the applicant have the ability to carry out the proposed research as demonstrated by the training, experience, and expertise of the principal investigator and the proposed research team, and organizational setting, including demonstration of ability to collect, manage, and analyze accurate data in a timely manner? Is there a demonstration of epidemiologic, behavioral, clinical, laboratory, administrative, and management expertise needed to conduct the proposed research? Does the principal investigator and staff have experience working with the targeted population of study participants? Does the research team include a staff member with expertise in qualitative data analysis? Are qualified personnel with realistic and sufficient percentage-time commitments available? Are the described duties and responsibilities of project personnel, including clear lines of authority and supervisory capacity over the behavioral, epidemiologic, administrative, clinical, laboratory, data management, and statistical aspects of the research clearly identified. Do staffing plans include, at a minimum, a principal investigator, study coordinator, lab assistant, and several interviewers/outreach workers? Are there at least two site proposed investigators: a junior investigator able to serve as the primary investigator and able to devote at least thirty percent to the project, and a senior investigator able to devote at least ten percent to the project? Can the staff keep pace with the anticipated workload?

Environment: Does the scientific environment in which the work will be

done contribute to the probability of success? Do the proposed experiments take advantage of unique features of the scientific environment or employ useful collaborative arrangements? Is there evidence of institutional support? Are the facilities, equipment, data processing and analysis capacity, and systems for management of data security and participant confidentiality? Do you have access to laboratory facilities and are they able to perform confirmatory HIV and STD testing.

Additional Review Criteria: In addition to the above criteria, the following items will be considered in the determination of scientific merit and priority score:

Protection of Human Subjects from Research Risks: Does the application adequately address the requirements of Title 45 CFR Part 46 for the protection of human subjects? The involvement of human subjects and protections from research risk relating to their participation in the proposed research will be assessed.

Inclusion of Women and Minorities in Research: Does the application adequately address the CDC Policy requirements regarding the inclusion of women, ethnic, and racial groups in the proposed research? This includes: (1) The proposed plan for the inclusion of both sexes and racial and ethnic minority populations for appropriate representation; (2) The proposed justification when representation is limited or absent; (3) A statement as to whether the design of the study is adequate to measure differences when warranted; and (4) A statement as to whether the plans for recruitment and outreach for study participants include the process of establishing partnerships with community(ies) and recognition of mutual benefits.

Budget: The reasonableness of the proposed budget and the requested period of support in relation to the proposed research.

V.2. Review and Selection Process

Applications will be reviewed for completeness by the Procurement and Grants Office (PGO) and for responsiveness by OPHR. Incomplete applications and applications that are non-responsive to the eligibility criteria will not advance through the review process. Applicants will be notified that their application did not meet submission requirements.

Applications that are complete and responsive to the announcement will be evaluated for scientific and technical merit by an appropriate peer review group or charter study section convened by OPHR in accordance with the review

criteria listed previously. As part of the initial merit review, all applications may:

- Undergo a process in which only those applications deemed to have the highest scientific merit by the review group, generally the top half of the applications under review, will be discussed and assigned a priority score.
- Receive a written critique.
- Receive a second programmatic level review by NCHSTP.

Award Criteria: Award decisions during the programmatic review will be based on the following:

- Scientific merit (as determined by peer review)
- Availability of funds
- Programmatic priorities
- Preference to organizations in the Southern United States and Puerto Rico

V.3. Anticipated Announcement Date and Award Date

August 31, 2005.

VI. Award Administration Information

VI.1. Award Notices

Successful applicants will receive a Notice of Award (NoA) from the CDC Procurement and Grants Office. The NoA shall be the only binding, authorizing document between the recipient and CDC. The NoA will be signed by an authorized Grants Management Officer and mailed to the recipient fiscal officer identified in the application.

Unsuccessful applicants will receive notification of the results of the application review by mail.

VI.2. Administrative and National Policy Requirements

45 CFR Part 74 and Part 92

For more information on the Code of Federal Regulations, see the National Archives and Records Administration at the following Internet address: <http://www.access.gpo.gov/nara/cfr/cfr-table-search.html>.

The following additional requirements apply to this project:

- AR-1 Human Subjects Requirements
- AR-2 Requirements for Inclusion of Women and Racial and Ethnic Minorities in Research
- AR-4 HIV/AIDS Confidentiality Provisions
- AR-5 HIV Program Review Panel Requirements
- AR-6 Patient Care
- AR-7 Executive Order 12372
- AR-9 Paperwork Reduction Act Requirements
- AR-10 Smoke-Free Workplace Requirements

- AR-11 Healthy People 2010
- AR-12 Lobbying Restrictions
- AR-22 Research Integrity
- AR-24 Health Insurance Portability and Accountability Act Requirements

- AR-25 Release and Sharing of Data

Additional information on these requirements can be found on the CDC Web site at the following Internet address: <http://www.cdc.gov/od/pgo/funding/ARs.htm>.

VI.3. Reporting

You must provide CDC with an original, plus two hard copies of the following reports:

1. Interim progress report (use form PHS 2590, OMB Number 0925-0001, rev. 9/2004, as posted on the CDC Web site), no less than 90 days before the end of the budget period. The progress report will serve as your non-competing continuation application and must contain the following elements:
 - a. Current Budget Period Activities Objectives.
 - b. Current Budget Period Financial Progress.
 - c. New Budget Period Program Proposed Activity Objectives.
 - d. Budget.
 - e. Measures of Effectiveness.
 - f. Additional Requested Information.
 2. Financial status report, no more than 90 days after the end of the budget period.
 3. Final financial and performance reports, no more than 90 days after the end of the project period.
- These reports must be mailed to the Grants Management Specialist listed in the "Agency Contacts" section of this announcement.

VII. Agency Contacts

We encourage inquiries concerning this announcement.

For general questions, contact: Technical Information Management Section, CDC Procurement and Grants Office, 2920 Brandywine Road, Atlanta, GA 30341, Telephone: 770-488-2700.

For scientific/research issues, contact: Amy L. Sandul, Health Science Administrator, Centers for Disease Control and Prevention, National Center for HIV, STD, and TB Prevention, 1600 Clifton Road, NE, MS E-07, Atlanta, GA 30333, Telephone: 404-639-6485, E-mail: ASandul@cdc.gov.

For questions about peer review, contact: Mary Lerchen, DrPH, Scientific Review Administrator, Centers for Disease Control and Prevention, 1 West Court Square, Suite 7000, MS D-72, Decatur, GA. 30330, Telephone: 404-371-5277, Fax: 404-371-5215, E-mail: mLerchen@cdc.gov.

For financial, grants management, or budget assistance, contact: Merlin Williams, Grants Management Specialist, CDC Procurement and Grants Office, 2920 Brandywine Road, Atlanta, GA 30341, Telephone: 404-498-1918, E-mail: mqw6@cdc.gov.

VIII. Other Information

This announcement and other CDC funding opportunity announcements can be found on the CDC Web site, Internet address: <http://www.cdc.gov>. Click on "Funding" then "Grants and Cooperative Agreements."

Dated: May 24, 2005.

Alan A. Kotch,

Acting Deputy Director, Procurement and Grants Office, Centers for Disease Control and Prevention.

[FR Doc. 05-10856 Filed 5-31-05; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

[Request for Application (RFA) AA004]

Maternal, Infant, and Reproductive Health: National and State Coalition Capacity Building; Notice of Availability of Funds—Amendment

A notice announcing the availability of Fiscal Year 2005 funds to award a Cooperative Agreement to improve reproductive health through the application of science-based approaches published in the **Federal Register** on March 23, 2005, Volume 70, Number 55, pages 14687 and 14693.

The notice is amended as follows:

On page 14687, First column, please change application deadline date to: June 3, 2005.

On page 14693, Second column, please change application deadline date to: June 3, 2005.

Dated: May 24, 2005.

Alan Kotch,

Acting Deputy Director, Procurement and Grants Office, Centers for Disease Control and Prevention.

[FR Doc. 05-10866 Filed 5-31-05; 8:45 am]

BILLING CODE 4163-18-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Announce No.—HHS-2005-ACF-OCS-EE-0019; CFDA 93.570]

Office of Community Services Announcement for Community Economic Development Discretionary Grants

AGENCY: Office of Community Services (OCS), Administration for Children and Families, HHS.

ACTION: Notice; correction.

SUMMARY: The Office of Community Services Program Announcement for Community Services Block Grant Program; Community Economic Development; Discretionary Grant Program—Operational Projects, Volume 70, *Federal Register* page number 20126 April 18, 2005, II. *Award Information* is hereby modified to reflect that the Length of Project Periods is modified as follows: Applications for operational projects exclusively for construction may have budget and project periods for up to five (5) years with use of funds consistent with the workplan. Applications for non-construction projects may have budget and project periods for up to three (3) years consistent with the work plan. Applicants must indicate their expected project period for the proposed project. In addition, the Anticipated Number of Awards will be approximately 24. Note that the President's 2006 budget does not include funding for the Community Economic Development program.

DATES: The closing date for CED applications is July 1, 2005. Applications must be received at the address below by 4:30 p.m. eastern time on or before the closing date. Applications should be mailed to: Administration for Children and Families, Office of Community Services Operations Center, 1515 Wilson Blvd., Suite 100, Arlington, VA 22209, Attention: Barbara Ziegler-Johnson.

Announcement Availability: The program announcement and application materials are available at <http://www.Grants.gov>. Standard forms and certifications may be found at <http://www.acf.hhs.gov/programs/ofsf/forms.htm>.

Funding Availability: OCS expects to award \$16 million in discretionary grants.

FOR FURTHER INFORMATION CONTACT: Debbie Brown, OCS, telephone number (202) 401-3446.

Dated: May 25, 2005.

Josephine B. Robinson,

Director, Office of Community Services.

[FR Doc. 05-10875 Filed 5-31-05; 8:45 am]

BILLING CODE 4184-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Announcement No. FV02-2005]

Family Violence Prevention and Services Program

AGENCY: Family and Youth Services Bureau, Administration on Children, Youth and Families, (ACYF), Administration for Children and Families, Department of Health and Human Services.

ACTION: Notice of the availability of funding to Native American Tribes (including Alaska Native Villages) and Tribal organizations for family violence prevention and services (FVPS).

SUMMARY: This announcement governs the proposed award of formula grants under the Family Violence Prevention and Services Act to Native American Tribes (including Alaska Native Villages) and Tribal organizations. The purpose of these grants is to assist Tribes in establishing, maintaining, and expanding programs and projects to prevent family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents.

This announcement sets forth the application requirements, the application process, and other administrative and fiscal requirements for grants in fiscal year (FY) 2005. Grantees are to be mindful that although the expenditure period for grants is a two-year period, an application is required every year to provide continuity in the provision of services. (See General Grant Requirements For Tribes Or Tribal Organizations B. Expenditure Periods).

C.F.D.A. Number: 93.671, Family Violence Prevention and Services.

DATES: Applications for FY 2005 Tribes (including Alaska Native Villages) and Tribal Organizations grant awards meeting the criteria specified in this instruction should be received no later than July 1, 2005.

ADDRESSES: Applications should be sent to Family and Youth Services Bureau, Administration on Children, Youth and Families, Administration for Children and Families, Attn: William Riley, 330

C Street, SW., Room 2117, Washington, DC 20447.

FOR FURTHER INFORMATION CONTACT:

Shena Williams at (202) 205-9532 or e-mail at swilliams@acf.hhs.gov; William D. Riley at (202) 401-5529 or e-mail at wiley@acf.hhs.gov; or Sunni Knight at (202) 401-5319 or e-mail at gknight@acf.hhs.gov.

SUPPLEMENTARY INFORMATION:

Annual Tribal Grantee Conference

Family Violence Prevention and Services Act (FVPSA) administrators should plan to attend the annual Tribal Grantee Conference. A subsequent Program Instruction and/or Information Memorandum will advise the Tribal FVPSA administrators of the date, time, and location of their grantee conference.

Client Confidentiality

FVPSA programs must establish or implement policies and protocols for maintaining the safety and confidentiality of the victims of domestic violence, sexual assault, and stalking. It is essential that the confidentiality of adult victims and their children receiving FVPSA services be protected. Consequently, when providing statistical data on program activities, individual identifiers of client records will not be used (section 303(a)(2)(E)).

Stop Family Violence Postal Stamp

The U.S. Postal Service was directed by the "Stamp Out Domestic Violence Act of 2001," (the Act), Public Law 107-67, to make available a "semipostal" stamp to provide funding for domestic violence programs. Funds raised in connection with sales of the stamp, less reasonable costs, have been transferred to the U.S. Department of Health and Human Services during FY 2004 in accordance with the Act for support of services to children and youth affected by domestic violence. It is projected that additional stamp revenues will be received during FY 2005. Subsequent to the receipt of the stamp proceeds, a program announcement will be issued providing guidance and information on the process and requirements for awards to programs providing services to children and youth.

The Importance of Coordination of Services

The impact of family and intimate violence include physical injury and death of primary or secondary victims, psychological trauma, isolation from family and friends, harm to children witnessing or experiencing violence in homes in which the violence occurs,

increased fear, reduced mobility and employability, homelessness, substance abuse, and a host of other health and related mental health consequences.

The physical and cultural obstacles existing in much of Indian country compound the basic dynamics of domestic violence. Barriers such as the isolation of vast rural areas, the concern for safety in isolated settings, and the transportation requirements over long distances, heighten the need for the coordination of the services through an often limited delivery system.

It is estimated that between 12 percent and 35 percent of injured women visiting emergency rooms are there because of battery. In a project intended to broaden the reach of the Native American domestic violence community, the Indian Health Service (IHS) and FVPSA have collaborated to oversee the development of domestic violence community projects. These projects are designed to develop improved health care responses to domestic violence and to facilitate collaboration between the local health care system and local American Indian and Alaskan Native domestic violence advocacy programs. In this effort, the IHS also is collaborating with representatives of Mending the Sacred Hoop, Cangleska, Inc., and the Family Violence Prevention Fund to provide training, technical assistance, and oversight to the pilot projects.

To help bring about a more effective response to the problem of domestic violence, the Department of Health and Human Services (HHS) urges Tribes And Tribal organizations, receiving funds under this grant announcement, to coordinate activities under this grant with other new and existing resources for the prevention of family and intimate violence.

Programmatic and Funding Information

A. Background

Title III of the Child Abuse Amendments of 1984, (Pub. L. 98-457, 42 U.S.C. 10401, *et seq.*) is entitled the Family Violence Prevention and Services Act (the Act). The Act was first implemented in FY 1986, was amended in 1992 by Pub. L. 102-295, in 1994 by Pub. L. 103-322, in 1996 by Pub. L. 104-235, and in 2000 by the Victims of Trafficking and Violence Protection Act (Pub. L. 106-386). The Act was most recently amended by the "Keeping Children and Families Safe Act of 2003" (Pub. L. 108-36).

The purpose of this legislation is to assist States and Tribes or Tribal organizations in supporting the

establishment, maintenance, and expansion of programs and projects to prevent incidents of family violence and to provide immediate shelter and related assistance for victims of family violence and their dependents.

During FY 2004, 224 grants were made to States and Tribes or Tribal organizations. The Department also made 53 family violence prevention grant awards to non-profit State domestic violence coalitions.

In addition, the Department supports the Domestic Violence Resource Center Network (DVRN). The DVRN consists of the National Resource Center for Domestic Violence (NRC) and four Special Issue Resource Centers (SIRCs). The SIRCs are the Battered Women's Justice Project, the Resource Center on Child Custody and Protection, the Resource Center for the Elimination of Domestic Violence Against Native Women (Sacred Circle), and the Health Resource Center on Domestic Violence. The purpose of the NRC and the SIRCs is to provide resource information, training, and technical assistance to Federal, State, and Native American agencies, local domestic violence prevention programs, and other professionals who provide services to victims of domestic violence.

In February, 1996, the Department funded the National Domestic Violence Hotline to ensure that every woman has access to information and emergency assistance wherever and whenever she needs it. The NDVH is a 24-hour, toll-free service that provides crisis assistance, counseling, and local shelter referrals to women across the country. Hotline counselors also are available for non-English speaking persons and for people who are hearing-impaired. The hotline number is 1-800-799-SAFE; the TDY number for the hearing impaired is 1-800-787-3224. As of August 31, 2003, the National Domestic Violence Hotline had answered over one million calls.

B. Funds Available

For FY 2005, the Department of Health and Human Services will make available for grants to designated State agencies seventy percent of the amount appropriated under section 310(a)(1) of the Family Violence Prevention and Services Act which is not reserved under section 310(a)(2). In this separate announcement, the Department will allocate 10 percent of the foregoing appropriation to the Tribes and Tribal organizations for the establishment and operation of shelters, safe houses, and the provision of related services. The Department also plans to make 10 percent of the foregoing appropriation

available to State domestic violence coalitions to continue their work within the domestic violence community by providing technical assistance and training, and advocacy services among other activities with local domestic violence programs and to encourage appropriate responses to domestic violence within the States.

Five percent of the amount appropriated under section 310(a)(1) of the Family Violence Prevention and Services Act which is not reserved under section 310(a)(2) will be available in FY 2005 to continue the support for the National Resource Center and the four Special Issue Resource Centers. Additional funds appropriated under the FVPSA will be used to support other activities, including training and technical assistance, collaborative projects with advocacy organizations and service providers, data collection efforts, public education activities, research and other demonstration projects, as well as the ongoing operation of the National Domestic Violence Hotline.

C. Native American Tribal Allocations

Native American Tribes and Tribal organizations are eligible for funding under this program if they meet the definition of "Indian tribe" or "tribal organization" at 25 U.S.C. 450b, and if they are able to demonstrate their capacity to carry out a family violence prevention and services programs.

Any Tribe that believes it meets the eligibility criteria should provide supportive documentation in its application and a request for inclusion on the list of eligible tribes. (*See Application Requirements for Tribes or Tribal Organizations.*)

In computing Tribal allocations, we will use the latest available population figures from the Census Bureau. Where Census Bureau data are unavailable, we will use figures from the BIA Indian Population and Labor Force Report.

Because section 304 of the Act specifies a minimum base amount for State allocations, we have set a base amount for Tribal allocations. Since FY 1986, we have found, in practice, that the establishment of a base amount has facilitated our efforts to make a fair and equitable distribution of limited grant funds.

Due to the expanded interest in the prevention of family violence and in the provision of services to victims of family violence and their dependents, we have received an increasing number of tribal applications over the past several years. In order to ensure the continuance of an equitable distribution of family violence prevention and

services funding in response to the increased number of tribes that apply, we have adjusted the funding formula for the allocation of family violence funds.

Tribes that meet the application requirements and whose reservation and surrounding Tribal Trust Lands' population is:

- Less than or equal to 1,500 will receive a minimum base amount of \$1,500;
- Greater than 1,500 but less than 3,001 will receive a minimum base amount of \$3,000;
- Between 3,001 and 4,000 will receive a minimum base amount of \$4,000; and,
- Between 4,001 and 5,000 will receive a minimum base amount of \$5,000.

The minimum base amounts are computed in relation to the Tribe's population and the progression of an additional \$1,000 per 1,000 persons in the population range continues until the Tribe's population reaches 50,000.

Tribes with a population of 50,000 to 100,000 will receive a minimum of \$50,000; and Tribes with a population of 100,001 to 150,000 will receive a minimum of \$100,000.

Once the base amounts have been distributed to the Tribes that have applied for family violence funding, the ratio of the Tribe's population to the total population of all the applicant Tribes is then considered in allocating the remainder of the funds. We have accounted for the variance in actual population and scope of the Family Violence and Services Programs with the distribution of a proportional amount plus a base amount to the Tribes. Under the previous allocation plan, we did not have a method by which to consider the variance in tribal census counts. As in previous years, Tribes are encouraged to apply as consortia for the family violence prevention and services funding.

General Grant Requirements for Tribes or Tribal Organizations

A. Definitions

Tribes and Tribal organizations should use the following definitions in carrying out their programs. The definitions are found in section 320 of the Family Violence Prevention and Services Act.

(1) *Family Violence*: Any act, or threatened act, of violence, including any forceful detention of an individual, which (a) results or threatens to result in physical injury and (b) is committed by a person against another individual (including an elderly person) to whom

such person is, or was, related by blood or marriage, or otherwise legally related, or with whom such person is, or was, lawfully residing.

(2) *Indian Tribe and Tribal organization*: Have the same meanings given such terms in section 450b of Title 25.

(3) *Shelter*: The provision of temporary refuge and related assistance in compliance with applicable State law and regulation governing the provision, on a regular basis, which includes shelter, safe homes, meals, and related assistance to victims of family violence and their dependents.

(4) *Related assistance*: The provision of direct assistance to victims of family violence and their dependents for the purpose of preventing further violence, helping such victims to gain access to civil and criminal courts and other community services, facilitating the efforts of such victims to make decisions concerning their lives in the interest of safety, and assisting such victims in healing from the effects of the violence. Related assistance includes:

(a) Prevention services such as outreach and prevention services for victims and their children, assistance to children who witness domestic violence, employment training, parenting, and other educational services for victims and their children, preventive health services within domestic violence programs (including services promoting nutrition, disease prevention, exercise, and prevention of substance abuse), domestic violence prevention programs for school age children, family violence public awareness campaigns, and violence prevention counseling services to abusers;

(b) Counseling with respect to family violence, counseling or other supportive services by peers individually or in groups, and referral to community social services;

(c) Transportation, technical assistance with respect to obtaining financial assistance under Federal and State programs, and referrals for appropriate health-care services (including alcohol and drug abuse treatment), but shall not include reimbursement for any health-care services;

(d) Legal advocacy to provide victims with information and assistance through the civil and criminal courts, and legal assistance; or

(e) Children's counseling and support services, and child care services for children who are victims of family violence or the dependents of such victims, and children who witness domestic violence.

B. Expenditure Periods

The FVPSA funds may be used for expenditures on and after October 1 of each fiscal year for which they are granted, and will be available for expenditure through September 30 of the following fiscal year, *i.e.*, FY 2005 funds may be used for expenditures from October 1, 2004 through September 30, 2006.

Reallotted funds, if any, are available for expenditure until the end of the fiscal year following the fiscal year that the funds became available for reallotment. FY 2005 grant funds which are made available to Tribes and Tribal organizations through reallotment must be expended by the grantee no later than September 30, 2006.

C. Reporting Requirements

A performance report must be filed with the Department describing the activities carried out, and including an assessment of the effectiveness of those activities in achieving the purposes of the grant. A section of this performance report must be completed by each grantee or sub-grantee that performed the direct services contemplated in the application certifying performance of such services. Consortia grantees should compile performance reports into a comprehensive report for submission.

The Performance Report should include the following data elements:

Funding—The total amount of the FVPSA grant funds awarded; the percentage of funding used for shelters, and the percentage of funding used for related services and assistance.

Shelters—The number of shelters and shelter programs (safe homes/motels, etc.) assisted by FVPSA program funding. Data elements should include:

- The number of shelters.
- The number of women sheltered.
- The number of young children sheltered (birth–12 years of age).
- The number of teenagers and young adults (13–17 years of age).
- The number of men sheltered.
- The number of the elderly serviced.
- The average length of stay.
- The number of women, children, teens, and others who were turned away because shelter was unavailable.
- The number of women, children, teens, and others who were referred to other shelters due to lack of space.

Types of individuals served (including special populations)—Record information by numbers and percentages against the total population served. Individuals and special populations served should include:

- The elderly.
- Individuals with physical challenges.

- And other special needs populations.

Related services and assistance—List the types of related services and assistance provided to victims and their family members by indicating the number of women, children, and men that have received services. Services and assistance may include but are not limited to the following:

- Individual counseling.
- Services to Children.
- Crisis intervention/hotline.
- Information and referral.
- Batterers support services.
- Legal advocacy services.
- Transportation.
- Services to teenagers.
- Child Care.
- Training and technical assistance.
- Housing advocacy.
- Other innovative program activities.

Volunteers—List the total number of volunteers and hours worked.

Identified Abuse—Indicate (if available) the number of women, children, and men who were identified as victims of physical, sexual, and/or emotional abuse.

Service referrals—List the number of women, children, and men referred for the following services: (**Note:** If the individual was identified as a batterer please indicate.)

- Physical abuse.
- Alcohol abuse.
- Drug abuse.
- Batterer intervention services.
- Child abuse.
- Witnessed abuse.
- Emergency medical intervention.
- Law enforcement intervention.
- The performance report should

include narratives of success stories about services provided and the positive impact on the lives of children and families. Examples may include the following: An explanation of the activities carried out including an assessment of the major activities supported by the family violence funds; what particular priorities within the Tribe or Tribal organization were addressed; and what special emphases were placed on these activities;

- A description of the specific services and facilities that your program funded, contracted with, or otherwise used in the implementation of your program, *e.g.*, shelters, safe houses, related assistance, programs for batterers;

- An assessment of the effectiveness of the direct service activities contemplated in the application;

- A description of how the needs of under-served populations, including those persons geographically isolated were addressed; and

- A description and assessment of the prevention activities supported during the program year, *e.g.*, community education events, and public awareness efforts.

Performance reports for Tribes and Tribal organizations are due on an annual basis at the end of the calendar year (December 29). Performance reports should be sent to Family and Youth Services Bureau, Administration on Children, Youth and Families, Administration for Children and Families, Attn: William Riley, 330 C Street, SW., Room 2117, Washington, DC 20447.

D. Financial Status Reports

All grantees are reminded that annual Financial Status Reports (Standard Form SF-269A) are due 90 days after the end of each Federal fiscal year. The first SF-269A is due December 29, 2005. The final SF-269A is due December 29, 2006. Completed reports should be sent to: Gregory Kenyon, Division of Mandatory Grants, Office of Grants Management, Office of Administration, Administration for Children and Families, 370 L'Enfant Promenade SW., Washington, DC 20447. Standard Form 269A can be found at: <http://www.whitehouse.gov/omb/grants/grantsforms.html>.

Application Requirements for Tribes and Tribal Organizations

A. Eligibility

As described above, Tribes and Tribal organizations are eligible for funding under this program if they meet the definition "Indian tribe" or "tribal organization" set forth in section 450B of Title 25 and if they are able to demonstrate their capacity to carry out a family violence prevention and services program.

Any Tribe or Tribal organization that believes it meets the eligibility criteria and should be included in the list of eligible tribes should provide supportive documentation and a request for inclusion in its application. (*See Application Content Requirements below.*)

As in previous years, Tribes may apply singularly or as a consortium. In addition, a non-profit private organization, approved by a Tribe for the operation of a family violence shelter or program on a reservation is eligible for funding.

Additional Information on Eligibility

All applicants must have a Dun & Bradstreet Universal Numbering System (DUNS) number. On June 27, 2003, the Office of Management and Budget

published in the **Federal Register** a new Federal policy applicable to all Federal grant applicants. The policy requires all Federal grant applicants to provide a Dun & Bradstreet Data Universal Numbering System (DUNS) number when applying for Federal grants or cooperative agreements on or after October 1, 2003. The DUNS number will be required whether an applicant is submitting a paper application or using the government-wide electronic portal (<http://www.Grants.gov>). A DUNS number will be required for every application for a new award or renewal/continuation of an award, including applications or plans under formula, entitlement, and block grant programs, submitted on or after October 1, 2003.

Please ensure that your organization has a DUNS number. You may acquire a DUNS number at no cost by calling the dedicated toll-free DUNS number request line on 1-866-705-5711 or you may request a number on-line at <http://www.dnb.com>.

B. Approval/Disapproval of a Tribal or Tribal Organization Application

The Secretary will approve any application that meets the requirements of the Act and this announcement. The Secretary will not disapprove an application except after reasonable notice of the Secretary's intention to disapprove has been provided to the applicant and after a 6-month period providing an opportunity for applicant to correct any deficiencies.

The notice of intention to disapprove will be provided to the applicant within 45 days of the date of the application.

C. Application Content Requirements

The Paperwork Reduction Act of 1995 (Pub. L. 104-13)

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed and reviewing the collection information.

The project description is approved under OMB control number 0970-0280, which expires October 31, 2005. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The application from the Tribe or Tribal organization must be signed by the Chief Executive Officer or Tribal Chairperson of the applicant organization.

(1) The name of the organization or agency and the Chief Program Official

designated as responsible for administering funds under the Act and coordinating related programs, and the name, telephone number, and fax number, if available, of a contact person in the designated organization or agency.

(2) A copy of a current resolution stating that the designated organization or agency has the authority to submit an application on behalf of the individuals in the Tribe(s) and to administer programs and activities funded under this program (section 303(b)(2)).

(3) A description of the procedures designed to involve knowledgeable individuals and interested organizations in providing services under the Act (section 303(b)(2)). For example, knowledgeable individuals and interested organizations may include: Tribal officials or social services staff involved in child abuse or family violence prevention, Tribal law enforcement officials, representatives of State coalitions against domestic violence, and operators of family violence shelters and service programs.

(4) A description of the applicant's operation of and/or capacity to carry out a family violence prevention and services program. This might be demonstrated in ways such as the following:

(a) The current operation of a shelter, safe house, or family violence prevention program;

(b) The establishment of joint or collaborative service agreements with a local public agency or a private non-profit agency for the operation of family violence prevention activities or services; or

(c) The operation of social services programs as evidenced by receipt of "638" contracts with the Bureau of Indian Affairs (BIA); Title II Indian Child Welfare grants from the BIA; Child Welfare Services grants under Title IV-B of the Social Security Act; or Family Preservation and Family Support grants under title IV-B of the Social Security Act.

(5) A description of the services to be provided, how the applicant organization plans to use the grant funds to provide the direct services, to whom the services will be provided, and the expected results of the services.

(6) Documentation of the procedures that assure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services by any program assisted under the Act (section 303(a)(2)(E)).

(7) The EIN number of the applicant organization submitting the application.

D. Each Application Must Contain the Following Assurances

(a) That not less than 70 percent of the funds shall be used for immediate shelter and related assistance for victims of family violence and their dependents and not less than 25% of the funds distributed shall be used to provide related assistance (section 303(g)).

(b) That any grants made to an entity other than a State or Tribe will meet the matching requirements in section 303(f), i.e., not less than 20 percent of the total funds provided for a project under Chapter 110 of Title 42 of the U.S. Code with respect to an existing program, and with respect to an entity intending to operate a new program under this title, not less than 35 percent. The local share will be cash or in-kind; and the local share will not include any Federal funds provided under any authority other than this chapter (section 303(f)).

(c) That grant funds made available under the Act will not be used as direct payment to any victim or dependent of a victim of family violence (section 303(d)).

(d) That no income eligibility standard will be imposed on individuals receiving assistance or services supported with funds appropriated to carry out the Act (section 303(e)).

(e) That the address or location of any shelter or facility assisted under the Act will not be made public, except with the written authorization of the person or persons responsible for the operations of such shelter (section 303(a)(2)(E)).

(f) That a law or procedure has been implemented for the eviction of an abusing spouse from a shared household (section 303(a)(2)(F)).

(g) That all grants, programs or other activities funded by the State in whole or in part with funds made available under the FVPSA will prohibit discrimination on the basis of age, handicap, sex, race, color, national origin or religion (section 307).

(h) That the applicant will comply with the applicable Departmental recordkeeping and reporting requirements and general requirements for the administration of grants under 45 CFR Part 92.

Other Information

A. Notification Under Executive Order 12372

The review and comment provisions of the Executive Order and Part 100 do not apply. Federally-recognized Tribes are exempt from all provisions and requirements of E.O. 12372.

B. Administrative and National Policy Requirements

Grantees are subject to the requirements in 45 CFR part 74 (non-governmental) and 45 CFR Part 92 (governmental).

Direct Federal grants, sub-award funds, or contracts under this Family Support Initiative 2005 program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under this Program. Regulations pertaining to the Equal Treatment For Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at either 45 CFR 87.1 or the HHS Web site at: <http://www.os.dhhs.gov/fbc/waisgate21.pdf>.

C. Required Certifications

All applications must submit or comply with the required certifications found in the Appendices as follows:

Anti-Lobbying Certification and Disclosure Form must be signed and submitted with the application (See Appendix A): Applicants must furnish prior to award an executed copy of the Standard Form LLL, Certification Regarding Lobbying, when applying for an award in excess of \$100,000. Applicants who have used non-Federal funds for lobbying activities in connection with receiving assistance under this announcement shall complete a disclosure form, if applicable, with their applications (approved by the Office of Management and Budget under control number 0348-0046). Applicants should sign and return the certification with their application.

Certification Regarding Environmental Tobacco Smoke (See Appendix B): Applicants must also understand they will be held accountable for the smoking prohibition included within Pub. L. 103-227, Title XII Environmental Tobacco Smoke (also known as the PRO-KIDS Act of 1994). A copy of the **Federal Register** notice which implements the smoking prohibition is included with forms. By signing and submitting the application, applicants are providing the certification and need not mail back the certification with the application.

These certifications also may be found at: <http://www.acf.hhs.gov/programs/ofs/forms.htm>.

Date: May 24, 2005.

Joan E. Ohl,

*Commissioner, Administration on Children,
Youth and Families.*

Appendices: Required Certifications

- A. Certification Regarding Lobbying
- B. Certification Regarding Environmental Tobacco Smoke

Appendix A—Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the

undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature _____

Title _____

Organization _____

Appendix B—Certification Regarding Environmental Tobacco Smoke

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

[FR Doc. 05-10782 Filed 5-31-05; 8:45 am]

BILLING CODE 4184-01-P

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Administration for Children and Families

[Program Announcement No. FV03-2005]

Family Violence Prevention and Services Program

AGENCY: Family and Youth Services Bureau, Administration on Children, Youth and Families (ACYF), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

ACTION: Notice of the availability of funds to State domestic violence

coalitions for grants to carry out family violence intervention and prevention activities.

SUMMARY: This announcement governs the proposed award of formula grants under the Family Violence Prevention and Services Act (FVPSA) to private non-profit State domestic violence coalitions. The purpose of these grants is to assist in the conduct of activities to promote domestic violence intervention and prevention and to increase public awareness of domestic violence issues.

This announcement sets forth the application requirements, the application process, and other administrative and fiscal requirements for grants in fiscal year (FY) 2005.

C.F.D.A. Number: 93.591, Family Violence Prevention and Services

Due Dates: Applications for FY 2005 State domestic violence coalition grant awards meeting the criteria specified in this instruction must be received no later than July 1, 2005.

ADDRESSES: Applications should be sent to, Family and Youth Services Bureau, Administration on Children, Youth, and Families, Administration for Children and Families, Attention: William D. Riley, 330 C Street, SW., Room 2117, Washington, DC 20447.

FOR FURTHER INFORMATION CONTACT: William D. Riley at (202) 401-5529 or e-mail at WRiley@acf.hhs.gov, or Beverly Fletcher at (202) 205-8437 or e-mail at BFletcher@acf.hhs.gov.

SUPPLEMENTARY INFORMATION: This notice for family violence prevention and services grants to State domestic violence coalitions serves two purposes. The first is to confirm a Federal commitment to reducing family and intimate partner violence and the second purpose is to urge States, localities, cities, and the private sector to become involved in State and local planning towards an integrated service delivery approach.

Annual State Domestic Violence Coalition Grantee Conference

State Coalitions should plan to send one or more representatives to the annual grantee conference. A subsequent Program Instruction and/or Information Memorandum will advise State Coalition administrators of the date, time, and location of their grantee conference.

Client Confidentiality

FVPSA programs must establish or implement policies and protocols for maintaining the safety and confidentiality of the victims of domestic violence, sexual assault, and

stalking. It is essential that the confidentiality of adult victims and their children receiving FVPSA services be protected. Consequently, when providing statistical data on program activities, individual identifiers of client records will not be used (See section 303(a)(2)(E)).

Stop Family Violence Postal Stamp

The U.S. Postal Service was directed by the "Stamp Out Domestic Violence Act of 2001" (the Act), Public Law 107-67, to make available a "semipostal" stamp to provide funding for domestic violence programs. Funds raised in connection with sales of the stamp, less reasonable costs, have been transferred to the U.S. Department of Health and Human Services in accordance with the Act during FY 2004 for support of services to children and youth affected by domestic violence. It is projected that additional revenues will be received during FY 2005. Subsequent to the receipt of the stamp proceeds, a program announcement will be issued providing guidance and information on the process and requirements for awards to programs providing services to children and youth.

Survey for Private Non-Profit Grant Applicants

Private, non-profit organizations are encouraged to submit with their applications the survey located under "Grant Related Documents and Forms," "Survey for Private, Non-Profit Grant Applicants," titled, "Survey on Ensuring Equal Opportunity for Applicants," at the following URL: <http://www.acf.hhs.gov/programs/ofs/forms.htm>.

State Coalition Grant Application Requirements

This section includes application requirements for family violence prevention and services grants for State domestic violence coalitions and is organized as follows:

Application Requirements

- A. Legislative Authority
- B. Background
- C. Eligibility
- D. Funds Available
- E. Expenditure Period
- F. Reporting Requirements
- G. Application Requirements
- H. Paperwork Reduction Act
- I. Executive Order 12372
- J. Certifications

A. Legislative Authority

Title III of the Child Abuse Amendments of 1984, (Pub. L. 98-457, 42 U.S.C. 10401, *et seq.*) is entitled the Family Violence Prevention and

Services Act (the Act). The Act was first implemented in FY 1986, was amended in 1992 by Public Law 102-295, in 1994 by Public Law 103-322, in 1996 by Public Law 104-235, and in 2000 by the Victims of Trafficking and Violence Protection Act, Public Law 106-386. The Act was most recently amended by the Keeping Children and Families Safe Act of 2003 (Pub. L. 108-36).

B. Background

Section 311 of the Act authorizes the Secretary to award grants to statewide private non-profit State domestic violence coalitions to conduct activities to promote domestic violence intervention and prevention and to increase public awareness of domestic violence issues.

C. Eligibility

To be eligible for grants under this program announcement, an organization shall be designated as a statewide, private, non-profit, domestic violence coalition meeting the following criteria:

(1) The membership of the coalition includes representatives from a majority of the programs for victims of domestic violence operating within the State (a State domestic violence coalition may include representatives of Indian Tribes and Tribal organizations as defined in the Indian Self-Determination and Education Assistance Act);

(2) The Board membership of the coalition is representative of such programs;

(3) The purpose of the coalition is to provide services, community education, and technical assistance to domestic violence programs in order to establish and maintain shelter and related services for victims of domestic violence and their children; and

(4) In the application submitted by the coalition for the grant, the coalition provides assurances satisfactory to the Secretary that the coalition:

(A) Has actively sought and encouraged the participation of law enforcement agencies and other legal or judicial entities in the preparation of the application; and

(B) Will actively seek and encourage the participation of such entities in the activities carried out with the grant (section 311(5)(A)).

Additional Information on Eligibility

All applicants must have a Dun & Bradstreet Universal Numbering System (DUNS) number. On June 27, 2003, the Office of Management and Budget published in the **Federal Register** a new Federal policy applicable to all Federal grant applicants. The policy requires all Federal grant applicants to provide a

Dun & Bradstreet Data Universal Numbering System (DUNS) number when applying for Federal grants or cooperative agreements on or after October 1, 2003. The DUNS number will be required whether an applicant is submitting a paper application or using the government-wide electronic portal (www.Grants.gov). A DUNS number will be required for every application for a new award or renewal/continuation of an award, including applications or plans under formula, entitlement, and block grant programs, submitted on or after October 1, 2003.

Please ensure that your organization has a DUNS number. You may acquire a DUNS number at no cost by calling the dedicated toll-free DUNS number request line on 1-866-705-5711 or you may request a number on-line at <http://www.dnb.com>.

D. Funds Available

The Department will make ten percent of the amount appropriated under section 310(a)(1) of the Family Violence Prevention and Services Act which is not reserved under section 310(a)(2), available for grants to the State-designated, statewide, domestic violence coalitions. One grant each will be available for the State domestic violence coalitions of the 50 states, the Commonwealth of Puerto Rico, and the District of Columbia. The domestic violence coalitions of the U.S. Territories (Guam, U.S. Virgin Islands, Northern Mariana Islands, American Samoa, and Trust Territory of the Pacific Islands) are also eligible for domestic violence coalition grant awards.

E. Expenditure Period

The FVPSA funds may be used for expenditures on or after October 1 of each fiscal year for which they are granted and will be available for expenditure through September 30 of the following fiscal year, *i.e.*, FY 2005 funds may be used for expenditures from October 1, 2004 through September 30, 2006.

F. Reporting Requirements

The State domestic violence coalition grantee must submit an annual report of activities describing the coordination, training and technical assistance, needs assessment, and comprehensive planning activities carried out. Additionally, the coalition must report on the public information and education services provided; the activities conducted in conjunction with judicial and law enforcement agencies; the actions conducted in conjunction with other agencies such as the state child

welfare agency; and any other activities undertaken under this grant award. The annual report also must provide an assessment of the effectiveness of the grant-supported activities.

The annual report is due 90 days after the end of the fiscal year in which the grant is awarded, *i.e.*, December 29. Annual reports should be sent to Family and Youth Services Bureau, Administration on Children, Youth and Families, Administration for Children and Families, Attn: William Riley, 330 C Street, SW., Room 2117, Washington, DC 20447.

Please note that section 303(a)(4) of the FVPSA requires the Department to suspend funding for an approved application if any applicant fails to submit an annual performance report or if the funds are expended for purposes other than those set forth under this announcement.

All State domestic violence coalition grantees are reminded that the annual Financial Status Reports (Standard Form SF-269A) are due 90 days after the end of each Federal fiscal year. The first SF-269A is due December 29, 2005. The final SF-269A is due December 29, 2006. Completed reports should be sent to: Gregory Kenyon, Division of Mandatory Grants, Office of Grants Management, Office of Administration, Administration for Children and Families, 370 L'Enfant Promenade SW., Washington, DC 20447. Standard Form 269A can be found at the following URL: http://www.whitehouse.gov/omb/grants/grants_forms.html.

G. Application Requirements

Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (Pub. L. 104-13)

Public reporting burden for this collection of information is estimated to average 6 hours per response, including the time for reviewing instructions, gathering and maintaining the data needed and reviewing the collection information.

The project description is approved under OMB control number 0970-0280 which expires October 31, 2005. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The State domestic violence coalition application must be signed by the Executive Director of the Coalition or the official designated as responsible for the administration of the grant. The application must contain the following information:

We have cited each requirement to the specific section of the law.

1. A description of the process and anticipated outcomes of utilizing these federal funds to work with local domestic violence programs and providers of direct services to encourage appropriate responses to domestic violence within the State, including—

Training and technical assistance for local programs and managers working in the field:

(a) Planning and conducting State needs assessments and planning for comprehensive services;

(b) Serving as an information clearinghouse and resource center for the State; and

(c) Collaborating with other governmental systems that affect battered women (section 311(a)(1)).

2. A description of the public education campaign regarding domestic violence to be conducted by the coalition through the use of public service announcements and informative materials that are designed for print media; billboards; public transit advertising; electronic broadcast media; and other forms of information dissemination that inform the public about domestic violence, including information aimed at underserved racial, ethnic or language-minority populations (Section 311(a)(4)).

3. The anticipated outcomes and a description of planned grant activities to be conducted in conjunction with judicial and law enforcement agencies concerning appropriate responses to domestic violence cases and an examination of related issues.

4. The anticipated outcomes and a description of planned grant activities to be conducted in conjunction with Family Law Judges, Criminal Court Judges, Child Protective Services agencies, Child Welfare agencies, Family Preservation and Support Service agencies, and children's advocates to develop appropriate responses to child custody and visitation issues in domestic violence cases and in cases where domestic violence and child abuse are both present. The anticipated outcomes and a description of other activities in support of the general purpose of furthering domestic violence intervention and prevention (section 311(a)(3)).

5. The following documentation will certify the status of the domestic violence coalition and must be included in the grant application:

(a) A description of the procedures developed between the State domestic violence agency and the statewide

coalition that allow for implementation of the following cooperative activities:

(i) The participation of the State domestic violence coalition in the planning and monitoring of the distribution of grants and grant funds provided in the State (section 311(a)(5); and

(ii) The participation of the State domestic violence coalition in compliance activities regarding the State's family violence prevention and services program grantees (sections 303(a)(2)(C) and (a)(3)).

(b) Unless already on file at HHS, a copy of a currently valid 501(c)(3) certification letter from the Internal Revenue Service stating private, non-profit status; or a copy of the applicant's listing in the Internal Revenue's Services (IRS) most recent list of tax-exempt organizations described in section 501(c)(3) of the IRS code; or

(c) A copy of the articles of incorporation bearing the seal of the State in which the corporation or association is domiciled;

(d) A current list of the organizations operating programs for victims of domestic violence programs in the State and the applicant coalition's current membership list by organization;

(e) A list of the applicant coalition's current Board of Directors, with each individual's organizational affiliation and the Chairperson identified;

(f) A copy of the resume of any coalition or contractual staff to be supported by funds from this grant and/or a statement of requirements for staff or consultants to be hired under this grant; and

(g) A budget narrative which clearly describes the planned expenditure of funds under this grant.

6. Required Documentation and Assurances (included in the application as an appendix)

(a) The applicant coalition must provide documentation in the form of support letters, memoranda of agreement, or jointly signed statements, that the coalition:

(i) Has actively sought and encouraged the participation of law enforcement agencies and other legal or judicial organizations in the preparation of the grant application (section 311(b)(4)(A)); and

(ii) Will actively seek and encourage the participation of such organizations in grant funded activities (section 311(b)(4)(B)).

(b) The applicant coalition must provide a signed statement that the coalition will not use grant funds, directly or indirectly, to influence the issuance, amendment, or revocation of any executive order or similar legal

document by any Federal, State or local agency, or to undertake to influence the passage or defeat of any legislation by the Congress, or any State or local legislative body, or State proposals by initiative petition, except where representatives of the State domestic violence coalition are testifying or making other appropriate communications except: When formally requested to do so by a legislative body, a committee, or a member of such organization (section 311(d)(1)); or in connection with legislation or appropriations directly affecting the activities of the State domestic violence coalition or any member of the coalition (section 311(d)(2)).

(c) The applicant coalition must provide a signed statement that the State domestic violence coalition will prohibit discrimination on the basis of age, handicap, sex, race, color, national origin or religion (section 307).

(d) That the applicant will comply with Departmental requirements for the administration of grants under 45 CFR Part 74—Uniform Administrative Requirements for Awards and Subawards to Institutions of Higher Education, Hospitals, Other Non-profit Organizations and Commercial Organizations.

H. Executive Order 12372

This program is covered under Executive Order 12372, "Intergovernmental Review of Federal Programs" for State plan consolidation and simplification only—45 CFR 100.12. The review and comment provisions of the Executive Order and Part 100 do not apply.

I. Administrative and National Policy Requirements

Grantees are subject to the requirements in 45 CFR Part 74 (non-governmental) and 45 CFR Part 92 (governmental).

Direct Federal grants, sub-award funds, or contracts under this Family Support Initiative 2005 program shall not be used to support inherently religious activities such as religious instruction, worship, or proselytization. Therefore, organizations must take steps to separate, in time or location, their inherently religious activities from the services funded under this Program. Regulations pertaining to the Equal Treatment For Faith-Based Organizations, which includes the prohibition against Federal funding of inherently religious activities, can be found at either 45 CFR 87.1 or the HHS website at: <http://www.os.dhhs.gov/fbci/waisgate21.pdf>.

J. Certifications

Applicants must comply with the required certifications found at the Appendices:

Anti-Lobbying Certification and Disclosure Form must be signed and submitted with the application (See Appendix A): Applicants must furnish prior to award an executed copy of the Standard Form LLL, Certification Regarding Lobbying, when applying for an award in excess of \$100,000. Applicants who have used non-Federal funds for lobbying activities in connection with receiving assistance under this announcement shall complete a disclosure form, if applicable, with their applications (approved by the Office of Management and Budget under control number 0348-0046). Applicants should sign and return the certification with their application.

Certification Regarding Environmental Tobacco Smoke (See Appendix B): Applicants must also understand they will be held accountable for the smoking prohibition included within Public Law 103-227, Title XII Environmental Tobacco Smoke (also known as the PRO-KIDS Act of 1994). A copy of the **Federal Register** notice which implements the smoking prohibition is included with forms. By signing and submitting the application, applicants are providing the certification and need not mail back the certification with the application.

These certifications also may be found at: <http://www.acf.hhs.gov/programs/ofs/forms.htm>.

Dated: May 24, 2005.

Joan E. Ohl,

Commissioner, Administration on Children, Youth and Families.

Appendices: Required Certifications Anti-Lobbying and Disclosure; Regarding Environmental Tobacco Smoke

Appendix A—Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any

Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Statement for Loan Guarantees and Loan Insurance

The undersigned states, to the best of his or her knowledge and belief, that:

If any funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this commitment providing for the United States to insure or guarantee a loan, the undersigned shall complete and submit Standard Form—LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions. Submission of this statement is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required statement shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature

Title

Organization

Appendix B—Certification Regarding Environmental Tobacco Smoke

Public Law 103227, Part C Environmental Tobacco Smoke, also known as the Pro Children Act of 1994 (Act), requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local

governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug or alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1000 per day and/or the imposition of an administrative compliance order on the responsible entity. By signing and submitting this application the applicant/grantee certifies that it will comply with the requirements of the Act.

The applicant/grantee further agrees that it will require the language of this certification be included in any subawards which contain provisions for the children's services and that all subgrantees shall certify accordingly.

[FR Doc. 05-10781 Filed 5-31-05; 8:45 am]

BILLING CODE 4184-01-P

DEPARTMENT OF HOMELAND SECURITY

Office of the Inspector General; Submission for Review; Notice of Emergency Clearance for Survey of Federal Flight Deck Officers Program

AGENCY: Office of the Inspector General, DHS.

ACTION: Notice of emergency clearance request.

SUMMARY: The Department of Homeland Security (DHS), has submitted a request for emergency processing of a new public information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. 35). This notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to OMB for review and comment. The ICR describes the nature of the information collection and its expected burden.

DATES: Send your comments by July 1, 2005. A comment to OMB is most effective if OMB receives it within 30-days of publication.

ADDRESSES: Written comments and/or suggestions contained in this notice should be directed to the Office of Management and Budget, Attn: Desk Officer for Homeland Security, Office of Management and Budget Room 10235, Washington, DC 20503; telephone 202-395-7316 (this is not a toll free number).

FOR FURTHER INFORMATION CONTACT: A copy of this ICR, with applicable supporting documentation, may be obtained by calling Charlene Myrthil, Paperwork Reduction Act Contact, Office of the Chief Information Officer, Department of Homeland Security,

Washington, DC 20528; telephone 202-401-5957 (this is not a toll free number).

SUPPLEMENTARY INFORMATION:

Analysis

Agency: Department of Homeland Security, Office of the Inspector General.

Title: Survey of Federal Flight Deck Officers.

OMB Control Number: 1690-NEW.

Frequency: One time collection.

Affected Public: Federal Flight Deck Officers.

Estimated Number of Respondents: 192 respondents.

Estimated Time Per Respondent: 45 minutes per response.

Total Burden Hours: 200.

Total Burden Cost: (Capital/Startup): None.

Total Burden Cost: (Operating/Maintaining): None.

Description: The Department of Homeland Security, Office of the Inspector General (DHS-OIG) is currently auditing the Transportation Security Administration's (TSA) Federal Flight Deck Officer (FFDO) program. The FFDO program is authorized under the Arming Pilots Against Terrorism Act (which is Title XIV of the Homeland Security Act of 2002, Public Law 107-296, dated November 25, 2002). Under the FFDO program, TSA selects, trains deputizes, equips, and supervises volunteer airline pilots and other aircraft flight crewmembers for the purpose of defending the flight decks of passenger and cargo aircraft. The audit began in March 2004 and is being conducted in accordance with the Department of Homeland Security's Fiscal Year 2004 Annual Performance Plan. This information will help us determine the extent to which FFDOs are having problems accomplishing their mission and to identify solutions they believe might improve the program.

Dated: May 26, 2005.

Ronald T. Hewitt,

Acting, Chief Information Officer.

[FR Doc. 05-10932 Filed 5-27-05; 9:58 am]

BILLING CODE 4410-10-P

DEPARTMENT OF HOMELAND SECURITY

Coast Guard

Draft Programmatic Environmental Impact Statement for Vessel and Facility Response Plans for Oil: 2003 Removal Equipment Requirements and Alternative Technology Revisions

AGENCY: Coast Guard, DHS.

ACTION: Notice of availability and request for public comments.

SUMMARY: The Coast Guard announces the availability of the Draft Programmatic Environmental Impact Statement (DPEIS) for the rulemaking on Vessel and Facility Response Plans for Oil; 2003 Removal Equipment Requirements and Alternative Technology Revisions. The DPEIS addresses the increase of the oil removal capacity (caps) requirements for tank vessels and marine transportation-related (MTR) facilities and added requirements for new response technologies. We are requesting public comments on this DPEIS. The Environmental Protection Agency published a notice of receipt of this DPEIS on May 27, 2005 (70 FR 30719).

DATES: Comments and related material must reach the Docket Management Facility on or before August 1, 2005.

ADDRESSES: You may submit comments identified by Coast Guard docket number USCG-2000-7833 to the Docket Management Facility at the U.S. Department of Transportation. To avoid duplication, please use only one of the following methods:

(1) Web Site: <http://dms.dot.gov>.

(2) Mail: Docket Management Facility, U.S. Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001.

(3) Fax: 202-493-2251.

(4) Delivery: Room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

FOR FURTHER INFORMATION CONTACT: If you have questions on this notice, call Bradley McKittrick, Coast Guard, telephone 202-267-0995, or email bmckittrick@comdt.uscg.mil. If you have questions on viewing or submitting material to the docket, call Andrea M. Jenkins, Program Manager, Docket Operations, telephone 202-366-0271.

SUPPLEMENTARY INFORMATION:

Request for Comments

All comments received will be posted, without change, to <http://dms.dot.gov> and will include any personal information you have provided. We have an agreement with the Department of Transportation (DOT) to use the Docket Management Facility. Please see DOT's "Privacy Act" paragraph below.

Submitting comments: If you submit a comment, please include your name and address, identify the docket number for this notice (USCG-2000-7833) and give

the reason for each comment. You may submit your comments by electronic means, mail, fax, or delivery to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments by only one means. If you submit them by mail or delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments received during the comment period.

We are requesting your comments on environmental concerns you may have related to the DPEIS. We will publish comments received during the DPEIS review period in the final PEIS. We will publish a notice of availability of the final PEIS in the **Federal Register**. Comments on the proposed regulations will not be accepted as the comment period is closed (67 FR 63331).

Viewing comments and documents: To view comments or the DPEIS, go to <http://dms.dot.gov> at any time and conduct a simple search using the docket number. You may also visit the Docket Management Facility in room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An electronic copy of the DPEIS may be viewed or downloaded from the Coast Guard Web site at <http://www.uscg.mil/hq/g-m/regs/PEIS/peisindex.html>. If you would like to obtain a copy of the DPEIS on CD-ROM, contact Brad McKittrick at the telephone number or email listed in **FOR FURTHER INFORMATION CONTACT**.

Privacy Act: Anyone can search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the Department of Transportation's Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477), or you may visit <http://dms.dot.gov>.

Public Meetings

The Coast Guard plans to hold public meetings which will be announced in a later notice to the **Federal Register**.

Background and Purpose

The Coast Guard proposes changes to its requirements for oil-spill removal equipment under tank vessel response plans and MTR facility response plans (33 CFR 154 and 33 CFR 155). These

changes would increase the available spill removal equipment required for tank vessels and MTR facilities, add requirements for new response technologies, and clarify methods and procedures for responding to oil spills in coastal waters. The Coast Guard examined and assessed the environmental impact of the proposed regulatory change of five alternatives considered in the DPEIS. The first alternative was no action, whereby no changes would be implemented in response plan regulations. The second alternative was an increase of on-water mechanical recovery capability. The third alternative was an increase of on-water mechanical recovery capability, which would establish on-water dispersant application capability (Option A), and establish in situ burn credit. The fourth alternative was to increase on-water mechanical recovery capability, establish on-water dispersant application capability (Option B), and establish in situ burn credit. The fifth alternative was to maintain on-water mechanical recovery capability at current levels, establish on-water dispersant application capability (Option B), and establish in situ burn credit.

To gain additional information regarding the criteria that was utilized for the environmental analysis in the DPEIS, the Coast Guard published a Notice of Intent and Request for Public Comments on November 9, 2000 (65 FR 67441). That notice can be viewed in the Docket Management System under Docket Number USCG-2000-7833.

Dated: May 19, 2005.

B.R. Emond,

Acting Director of Standards, Marine Safety, Security, and Environmental Protection, U.S. Coast Guard.

[FR Doc. 05-10972 Filed 5-27-05; 1:06 pm]

BILLING CODE 4910-15-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4950-C-06, FR-4950-C-19, FR-4950-C-20A]

Notice of HUD's Fiscal Year (FY) 2005 Notice of Funding Availability, Policy Requirements and General Section to SuperNOFA for HUD's Discretionary Grant Programs; Correction

AGENCY: Office of the Secretary, HUD.

ACTION: Super Notice of Funding Availability (SuperNOFA) for HUD Discretionary Grant Programs; correction.

SUMMARY: On March 21, 2005, HUD published its Fiscal Year (FY) 2005, Notice of Funding Availability (NOFA), Policy Requirements and General Section to the SuperNOFA for HUD's Discretionary Grant Programs. This document makes corrections to the Assisted Living Conversion Program (ALCP), the Section 202 Supportive Housing for the Elderly Program (Section 202 Program), and the Section 811 Supportive Housing for Persons with Disabilities Program (Section 811 Program). This notice also extends the application submission date for the Section 202 Program. These changes affect the NOFAs listed, but do not affect the application packages on Grants.gov.

DATES: The application submission dates are as follows:

Assisted Living Conversion Program: June 22, 2005.

Section 202 Supportive Housing for the Elderly Program: July 1, 2005.

Section 811 Supportive Housing for Persons with Disabilities Program: June 10, 2005.

FOR FURTHER INFORMATION CONTACT: For the programs listed in this notice, please contact the office or individual listed under Section VII of the individual program sections of the SuperNOFA, published on March 21, 2005.

SUPPLEMENTARY INFORMATION: On March 21, 2005 (70 FR 13575), HUD published its Notice of HUD's Fiscal Year (FY) 2005, Notice of Funding Availability (NOFA), Policy Requirements and General Section to the SuperNOFA for HUD's Discretionary Grant Programs. The FY2005 SuperNOFA announced the availability of approximately \$2.26 billion in HUD assistance. On May 10, 2005, (70 FR 24609) HUD published technical corrections to the Section 811 Program NOFA. On May 18, 2005, (70 FR 28553) HUD published technical corrections to the ALCP program NOFA. This notice published in today's **Federal Register** makes technical corrections to the Section 202 Supportive Housing for the Elderly Program (Section 202 Program) and makes additional technical corrections to the ALCP and Section 811 Program NOFAs.

Summary of Technical Corrections

Summaries of the technical corrections made by this document follow. The page number shown in brackets identifies where the individual funding availability announcement that is being corrected can be found in the March 21, 2005, SuperNOFA. The technical correction described in today's **Federal Register** will also be reflected in the application instructions located on

Grants.gov/Apply. Applicants submitting their applications electronically are encouraged to read the instructions located on Grants.gov/Apply prior to submitting their application.

Assisted Living Conversion Program [Page 14148]

On page 14153, B., third column, HUD is clarifying the application submission requirements by revising how applicants may submit copies of their project's original plans.

Section 202 Supportive Housing for the Elderly Program [Page 14187]

On page 14188, Overview Information, section F., first column, the application submission deadline is extended to July 1, 2005.

On page 14189, section II.A., second column, HUD is clarifying the reference to "each local HUD office" in the description of the process for allocating Section 202 funds by adding language to clarify that the Washington, DC Office is excluded from the references to "each local HUD office."

On page 14193, section III.C.2.b.(3)(c)(i), bottom of third column, as a result of the extension of the application submission deadline, clarification is added to advise applicants that a Phase I Environmental Site Assessment (ESA) dated November 30, 2004, or later will meet the requirement for submitting a Phase I ESA.

On page 14194, section III.C.2.b.(3)(c)(ii), first column, as a result of the extension of the application submission deadline, a change is made to the date by which applicants must submit their Phase II Environmental Site Assessment.

On page 14194, section III.C.2.b.(3)(c)(iii), first column, as a result of the extension of the application submission deadline, a change is made to the date by which applicants must submit a plan and supporting documentation to clean-up a site that revealed contamination during the Phase II Environmental Site Assessment.

On page 14195, section IV.A., third column, HUD is clarifying the application and submission information by adding a note at the end of the first paragraph explaining the procedures for the electronic filing of Section 202 applications for those cases involving a single application from multiple applicants.

On page 14198, section IV.B.2.c.(1)(d)(i)(C), third column, as a result of the extension of the application submission deadline, a clarification is

added to indicate to applicants that an option to purchase or long-term leasehold must be effective through November 30, 2005, or later.

On page 14199, section IV.B.2.c.(1)(d)(vii), third column, as a result of the extension of the application submission deadline, a clarification is made to advise applicants that a Phase I Environmental Site Assessment (ESA) dated November 30, 2004, or later will be acceptable and to change the date by which applicants must submit their Phase II ESA and any necessary plans for clean-up of a site that revealed contamination during the Phase II ESA.

On page 14217, Appendix A, Local HUD Offices, is amended to make it clear that HUD will accept applications for proposals to be located in Washington, DC and that if an applicant receives a waiver of the electronic application submission requirement for a proposal to be located in Washington, DC, the application must be submitted to the HUD Baltimore, Maryland Office.

On page 14222, Appendix A, Local HUD Offices, HUD is updating the telephone and TTY telephone numbers for the San Francisco Office.

Section 811 Program of Supportive Housing for Persons With Disabilities [Page 14227]

On page 14233, section III.C.2.b.(3)(d)(i), second of third column, as a result of the extension of the application deadline, clarification is added to advise applicants that a Phase I Environmental Site Assessment (ESA) dated November 24, 2004, or later will meet the requirement for submitting a Phase I ESA.

On page 14233, section III.C.2.b.(3)(d)(ii), bottom of third column, as a result of the extension of the application submission deadline, a change is made to the date by which applicants must submit their Phase II Environmental Site Assessment.

On page 14233, section III.C.2.b.(3)(d)(iii), bottom of third column, as a result of the extension of the application submission deadline, a change is made to the date by which applicants must submit a plan and supporting documentation to clean-up a site that revealed contamination during the Phase II Environmental Site Assessment.

On page 14239, section IV.B.2.c.(1)(d)(i)(C), bottom of second column, as a result of the extension of the application submission deadline, a clarification is added to indicate to applicants that an option to purchase or long-term leasehold must be effective through November 24, 2005 or later.

On page 14240, section IV.B.2.c.(1)(d)(vii), bottom of second column, as a result of the extension of the application submission deadline, a clarification is made to advise applicants that a Phase I Environmental Site Assessment (ESA) dated November 24, 2004, or later will be acceptable and to change the date by which applicants must submit their Phase II ESA and any necessary plans for clean-up of a site that revealed contamination during the Phase II ESA.

On page 14255, section IV.E.5., middle column, HUD is revising this funding information pursuant to the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Pub. L. 109-13; approved May 11, 2005).

Accordingly, in the Notice of HUD's Fiscal Year (FY) 2005, Notice of Funding Availability (NOFA), Policy Requirements and General Section to the SuperNOFA for HUD's Discretionary Grant Programs, beginning at 70 FR 13575, in the issue of March 21, 2005, the following corrections are made.

Assisted Living Conversion Program, Beginning on Page 14148

On page 14153, B. Content and Form of Application Submission, third column is revised to read as follows:

In addition to the relief of paperwork burden, you will not have to submit certain new/recent information and exhibits you have previously prepared. See individual item descriptions below to identify such items. An example of such an item may be the FY2003 Annual Financial Statement. Your application must include all of the information, materials, forms, and exhibits listed below. Exhibit 5.d. requires all applicants to submit copies of their development's original plans. However, if applicants experience difficulty in submitting the plans electronically or by facsimile, the plans may be mailed to the appropriate HUD Multifamily Hub by the application deadline date of June 22, 2005. (See the General Section for instructions on how to submit third party and other documents such as Articles of Incorporation; by-laws, copies of original plans; evidence of financial commitment; letter(s) from zoning officials; etc.):

Section 202 Supportive Housing for the Elderly Program, Beginning at Page 14187

On page 14188, Overview Information, section F., first column, is revised to read as follows: F. Dates: Application Submission Date. The

application submission date is on or before July 1, 2005. Refer to Section IV of this NOFA and to the General Section for information on application submission requirements.

On page 14189, section II.A., second column, the paragraph immediately preceding the “note” is revised to read as follows:

Under Section 202, 85 percent of the total capital advance amount is allocated to metropolitan areas and 15 percent to nonmetropolitan areas. In addition, each local HUD office jurisdiction receives sufficient capital advance funds for a minimum of 20 units in metropolitan areas and 5 units in nonmetropolitan areas with the exception of the Washington, DC Office, which has no separate allocation of Section 202 capital advance funds this fiscal year. Accordingly, the references to “each local HUD office” exclude the Washington, DC Office. (For those applicants that have received a waiver to the electronic application submission requirement, refer to Appendix A, Local HUD Offices, of this program NOFA for instructions on the submission of applications for proposals within the Washington, DC Office jurisdiction as well as the other local HUD offices.) The total amount of capital advance funds to support these minimum set-asides are subtracted from the respective (metropolitan or nonmetropolitan) total capital advance amounts available. The remainder is fair shared to each local HUD office jurisdiction whose fair share exceeds the minimum set-aside based on the allocation formula fair share factors described below.

On page 14193, section III.C.2.b.(3)(c)(i), third column, is corrected to read as follows:

(i) Phase I Environmental Site Assessment (ESA). You must submit a Phase I ESA, prepared in accordance with the ASTM Standards E 1527–00, as amended, completed or updated no earlier than six months prior to the application deadline date. As a result of the extension of the application deadline, a Phase I ESA that is dated November 30, 2004, or later will meet the requirement for submitting a Phase I ESA. The Phase I ESA must be completed and submitted with the application. Therefore, it is important that you start the Phase I ESA process as soon after publication of the SuperNOFA as possible. To help you choose an environmentally safe site, HUD invites you to review the document “Choosing an Environmentally Safe Site” which is available on HUD’s Web site at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm> and the “Supplemental

Guidance, Environmental Information”, in Appendix C to this program section of the SuperNOFA.

On page 14194, section III.C.2.b.(3)(c)(ii), first column, is corrected to read as follows:

(ii) Phase II ESA. If the Phase I ESA indicates the possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same Phase I ESA process identified above must be followed for the new site. However, if you choose to continue with the original site on which the Phase I ESA indicated contamination or hazards, you must undertake a detailed Phase II ESA by an appropriate professional. In order for your application to be considered for review under this FY 2005 funding competition, the Phase II ESA must be received by the local HUD office on or before August 1, 2005.

On page 14194, section III.C.2.b.(3)(c)(iii), first column, is corrected to read as follows:

(iii) Clean-up. If the Phase II ESA reveals site contamination, the extent of the contamination and a plan for clean-up of the site must be submitted to the local HUD office. The plan for clean-up must include a contract for remediation of the problem(s) and an approval letter from the applicable federal, state, and/or local agency with jurisdiction over the site. In order for your application to be considered for review under this FY 2005 funding competition, this information must be received by the local HUD office on or before August 1, 2005.

On page 14195, section IV.A., third column, at the end of the first paragraph, add the following “note” to read as follows:

Note: For Section 202 applications that will have more than one applicant; *i.e.*, Co-Sponsors, the applicants must designate a single individual to act as the authorized representative for all Co-Sponsors of the application. The designated authorized representative of the organization submitting the application must be registered with Grants.gov, the Federal Central Contractor Registry and with the credential provider for E-Authentication. Information on the Grants.gov registration process is found at <http://www.grants.gov/GetStarted>. When the application is submitted through Grants.gov, the name of the designated authorized representative will be inserted into the signature line of the application. Please note that the designated authorized representative must be able to make legally binding commitments for each Co-Sponsor to the application.

Each Co-Sponsor must complete the documents required of all co-sponsoring organizations to permit HUD to make a

determination on the eligibility of the Co-Sponsor(s) and the acceptability of the application based on the assistance and commitments the Co-Sponsor(s) has pledged to the project. Therefore, each co-sponsor must submit the following information using the scanning and/or faxing method described in Section IV. of the General Section: Standard Form 424, Application for Federal Assistance; Standard Form 424 Supplement, Survey on Ensuring Equal Opportunity for Applicants; Standard Form LLL, Disclosure of Lobbying Activities (if applicable); Form HUD–92015–CA, Section 202 Application for Capital Advance, Summary Information; Form HUD–2530, Previous Participation Certification; Form HUD–92041, Sponsor’s Conflict of Interest Resolution; and Form HUD–92042, Sponsor’s Resolution for Commitment to Project. The forms identified above are available in the Program instructions package that can be downloaded from Grants.gov as well as HUD’s Web site at <http://www.hud.gov/offices/adm/grants/nofa05/snofaforms.cfm>. The downloaded and completed forms should be saved as separate electronic files and attached to the electronic application submission following the requirements of Section IV.

As stated in the General Section, Section IV, forms and other documents from Co-Sponsors that will be scanned to create an electronic file and submitted as an attachment to the application should be labeled and numbered so the HUD reviewer can identify the file and its contents. If the applicant is creating an electronic file, the file should contain a header that identifies the name of the sponsor submitting the electronic application, that sponsor’s DUNS number, and the unique ID that is found at the top of the Facsimile Transmission form found in the electronic application package. The naming convention for each electronic file should correspond to the labeling convention used in the application Table of Contents found on page 14196, column 2, of the Section 202 program NOFA. For example, the organizational documents of a Co-Sponsor would be included under Part II, Exhibit 2(a) of the Section 202 application. Electronic files can be attached to the electronic application using the Attachment Form contained in the electronic application package.

If the applicant cannot create an electronic file or does not have access to a scanner, the required signed documents may be submitted to accompany the electronic application by completing the required information and submitting it via facsimile, using

Form HUD-96011, Facsimile Transmittal found in the electronic application package. Co-Sponsors should use the form HUD-96011 provided by the sponsor that is submitting the electronic application. The submitting sponsor should fill in the SF 424 form prior to giving the form HUD 96011 to the Co-sponsors. By following these directions, the form HUD 96011 will be pre-populated with the submitting sponsor's organizational information exactly as the submitting sponsor has provided it on the electronic application. In addition, HUD will be using the unique identifier associated to the downloaded application package as a means of matching the faxing submitted with the applications received via Grants.gov. The Facsimile Transmittal form also has space to provide the number of pages being faxed and information on the type of document. Co-Sponsors or the submitting applicant can insert the document name in the space provided labeled Program Component.

Co-Sponsor's documents sent by facsimile as part of an electronic application submission, must use Form HUD-96011, Facsimile Transmittal that was downloaded with the application as the cover page. Do not insert any additional or other cover pages as it will cause problems in electronically matching the pieces of the application.

On page 14198, section IV.B.2.c.(1)(d)(i)(C), third column, is corrected to read as follows:

(C) Option to purchase or for a long-term leasehold, which must remain in effect through November 30, 2005, or later, must state a firm price binding on the seller, and be renewable at the end of the option period. The only condition on which the option may be terminated is if you are not awarded a fund reservation;

On page 14199, section IV.B.2.c.(1)(d)(vii), third column, is corrected to read as follows:

(vii) A Phase I Environmental Site Assessment (ESA), in accordance with the ASTM Standards E 1527-00, as amended, must be completed and submitted with the application. In order for the Phase I ESA to be acceptable, it must have been completed or updated no earlier than November 30, 2004. Therefore, it is important to start the site assessment process as soon after the publication of the NOFA as possible. If the Phase I ESA indicates possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same Phase I ESA process identified above must be followed for

the new site. If the property is to be acquired from the FDIC/RTC, include a copy of the FDIC/RTC prepared Transaction Screen Checklist or Phase I ESA and applicable documentation, per the FDIC/RTC Environmental Guidelines. If you choose to continue with the original site on which the Phase I ESA indicated contamination or hazards, you must undertake a detailed Phase II ESA by an appropriate professional. If the Phase II Assessment reveals site contamination, you must submit the extent of the contamination and a plan for clean-up of the site including a contract for remediation of the problem(s) and an approval letter from the applicable federal, state, and/or local agency with jurisdiction over the site to the local HUD office. The Phase II ESA and any necessary plans for clean-up do not have to be submitted with the application but must be received by the local HUD office by August 1, 2005. If it is not received by that date, the application will be rejected.

On page 14217, Appendix A, Local HUD Offices, paragraph 2.c. is revised to read as follows:

Applications for projects proposed to be located in Washington, DC and Maryland must be submitted to the Baltimore, Maryland Office.

On page 14222, Appendix A, Local HUD Offices, the telephone and TTY telephone numbers for the San Francisco Office are revised to read as follows: telephone, (415) 489-6676; TTY, (415) 489-6564.

Section 811 Supportive Housing for Persons With Disabilities Program, Beginning at Page 14227

On page 14233, section III.C.2.b.(3)(d)(i), third column, is corrected to read as follows:

(i) Phase I Environmental Site Assessment (ESA). You must submit a Phase I ESA, prepared in accordance with the ASTM Standards E 1527-00, as amended, completed or updated no earlier than six months prior to the application deadline date, in order for the application to be considered as an application with site control. As a result of the extension of the application deadline, a Phase I ESA that is dated November 24, 2004, or later will meet the requirement for submitting a Phase I ESA. The Phase I ESA must be completed and submitted with the application. Therefore, it is important that you start the Phase I ESA process as soon after publication of the SuperNOFA as possible. To help you choose an environmentally safe site, HUD invites you to review the document "Choosing an Environmentally Safe

Site" which is available on HUD's Web site at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm> and the "Supplemental Guidance, Environmental Information", in Appendix C to this program section of the SuperNOFA.

On page 14233, section III.C.2.b.(3)(d)(ii), third column, is corrected to read as follows:

(ii) Phase II ESA. If the Phase I ESA indicates the possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same Phase I ESA process identified above must be followed for the new site. However, if you choose to continue with the original site on which the Phase I ESA indicated contamination or hazards, you must undertake a detailed Phase II ESA by an appropriate professional. In order for your application to be considered as an application with site control, the Phase II ESA must be received by the local HUD office on or before July 11, 2005.

On page 14233, section III.C.2.b.(3)(d)(iii), third column, is corrected to read as follows:

(iii) Clean-up. If the Phase II ESA reveals site contamination, the extent of the contamination and a plan for clean-up of the site must be submitted to the local HUD office. The plan for clean-up must include a contract for remediation of the problem(s) and an approval letter from the applicable federal, state, and/or local agency with the jurisdiction over the site. In order for application to be considered as an application with site control, this information must be received by the local HUD office on or before July 11, 2005.

On page 14239, section IV.B.2.c.(1)(d)(i)(C), second column, is corrected to read as follows:

(C) Option to purchase or for a long-term leasehold, which must remain in effect through November 24, 2005, or later, must state a firm price binding on the seller, and be renewable at the end of the option period. The only condition on which the option may be terminated is if you are not awarded a fund reservation;

On page 14240, section IV.B.2.c.(1)(d)(vii), second column, is corrected to read as follows:

(vii) A Phase I Environmental Site Assessment (ESA), in accordance with the ASTM Standards E 1527-00, as amended, must be completed and submitted with the application. In order for the Phase I ESA to be acceptable, it must have been completed or updated no earlier than November 24, 2004. Therefore, it is important to start the site assessment process as soon after the

publication of the NOFA as possible. If the Phase I ESA indicates possible presence of contamination and/or hazards, you must decide whether to continue with this site or choose another site. Should you choose another site, the same Phase I ESA process identified above must be followed for the new site. If the property is to be acquired from the FDIC/RTC, include a copy of the FDIC/RTC prepared Transaction Screen Checklist or Phase I ESA and applicable documentation, per the FDIC/RTC Environment Guidelines. If you choose to continue with the original site on which the Phase I ESA indicated contamination or hazards, you must undertake a detailed Phase II ESA by an appropriate professional. If the Phase II Assessment reveals site contamination, you must submit the extent of the contamination and a plan for clean-up of the site including a contract for remediation of the problem(s) and an approval letter from the applicable federal, state, and/or local agency with the jurisdiction over the site to the local HUD office. The Phase II ESA and any necessary plans for clean-up do not have to be submitted with the application but must be received by the local HUD office by July 11, 2005. If it is not received by that date, the site will be rejected and the application will be placed in Category B for selection purposes.

On page 14255, section IV.E.5., middle column, paragraph 5 is revised to read as follows:

5. Expiration of Section 811 Funds. The Consolidated Appropriations Act, 2005, as amended by the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (Pub. L. 109-13; approved May 11, 2005) requires HUD to obligate all Section 811 funds appropriated for FY2005 by September 30, 2006. Under 31 U.S.C. 1551 *et seq.*, no funds can be disbursed from this account after September 30, 2011. Under Section 811, obligation of funds occurs for both capital advances and project rental assistance upon fund reservation and acceptance. If all funds are not disbursed by HUD and expended by the project Owner by September 30, 2011, the funds, even though obligated, will expire and no further disbursements can be made from this account. In submitting an application, you need to carefully consider whether your proposed project can be completed through final capital advance closing no later than September 30, 2011. Furthermore, all unexpended balances, including any remaining balance on PRAC contracts, will be cancelled as of October 1, 2011. Amounts needed to

maintain PRAC payments for any remaining term on the affected contracts beyond that date will have to be funded from other current appropriations.

Dated: May 25, 2005.

Frank L. Davis,
General Deputy Assistant Secretary for Housing—Deputy Federal Housing Commissioner.

[FR Doc. 05-10844 Filed 5-26-05; 11:53 pm]

BILLING CODE 4210-32-P

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4982-C-02]

Notice of Funding Availability for Revitalization of Severely Distressed Public Housing; HOPE VI Revitalization Grants; Fiscal Year 2005; Correction

AGENCY: Office of the Assistant Secretary for Public and Indian Housing, HUD.

ACTION: Notice of funding availability; correction.

SUMMARY: On March 31, 2005, HUD published the Notice of Funding Availability (NOFA) for Revitalization of Severely Distressed Public Housing HOPE VI Revitalization Grants for Fiscal Year 2005. This notice announces several corrections to the NOFA.

DATES: The application submission date is extended to July 29, 2005.

FOR FURTHER INFORMATION CONTACT: Lar Gnessin, Office of Public Housing Investments, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410-5000; telephone (202) 708-0614 extension 2676 (this is not a toll-free number). Hearing- or speech-impaired individuals may access this number via TTY by calling the toll-free Federal Information Relay Service at (800) 877-8339.

SUPPLEMENTARY INFORMATION: On March 31, 2005, HUD published (70 FR 16554) the Notice of Funding Availability (NOFA) for Revitalization of Severely Distressed Public Housing HOPE VI Revitalization Grants for Fiscal Year 2005 announcing the availability of approximately \$110 million in FY2005 funds for HOPE VI Revitalization Program grants, plus approximately \$25 million additional for grantees' first-year, grant-related housing choice voucher (HCV) assistance. This notice announces corrections to the NOFA.

Summary of Technical Corrections

On page 16554, Overview Information, paragraph F, is updated with an extension of the application

submission deadline. The new application submission deadline is July 29, 2005.

On page 16558, in section III.C.1.k, HUD is revising a cross-reference to advise applicants that section IV.B.6.f of this NOFA contains documentation requirements. Also on page 16558, HUD is revising section III.C.2.a to include expanded information about false statements and the related documentation requirements.

On page 16559, in sections III.C.2.b.(2), III.C.2.c.(4), and III.C.3.a.(2), HUD is clarifying three cross-references that should help applicants find important documentation information.

On page 16568, HUD is revising paragraph IV.A.3. to clarify that the information applicants need for their applications is available on the Internet at <http://www.grants.gov>. Additional information that are not included in the Grants.gov application package will be available on the Internet at <http://www.hud.gov/offices/adm/grants/otherhud.cfm>, and <http://www.hud.gov/offices/pih/programs/ph/hope6/grants/fy05/index.cfm>.

On page 16568, HUD is revising paragraph IV.B.1.a. by adding additional information. The new information explains that registration of the AOR at Grants.gov may take more than two weeks. If the AOR is not registered by the application submission date, applicants will not be able to submit applications to Grants.gov in a timely manner. Late applications are not considered for funding.

On page 16571, in the milestone table and related text in section IV.B.4.d, HUD is revising the dates to better reflect anticipated grant execution and other submission dates. In addition, on page 16571 and 16572, section IV.B.5 is being revised and a new section IV.B.6 is added to better explain the curable and non-curable applicant and third party certification thresholds documentation. Sections that follow this revised section IV.B.5 and IV.B.6 will be renumbered accordingly.

On page 16572, in section IV.B.7.a, HUD is revising the documentation instructions to state that HUD will also obtain information internally on applicant scores for the Regular Maintenance defect rate. Section IV.B.7.b.(2), also on page 16572, is being revised to correct a cross-reference to information about the subjects and items that should be included in the Rating Factor narrative.

On page 16572, paragraphs IV.B.7.b.(3)(a), IV.B.7.b.(3)(b)(i) and IV.B.7.b.(3)(b)(ii) and on page 16583, paragraph V.A.2.c.(1) are all revised to indicate that certification of obligation

rate of Capital Funds include the fiscal years 2000–2004.

On page 16573, in section IV.B.7.j, HUD is clarifying that applicants should include supporting references or documentation for affirmative statements as requested on the form HUD-27300 and that additional information is available in the SuperNOFA General Section.

On page 16574, HUD is adding guidance to applicants in a revised and renumbered section IV.B.9, entitled, “Further Documentation Guidance on Narrative Exhibits and Specific Attachments”

On page 16575, in section IV.B.9.l.(1), is being revised to correct a cross-reference to information about the Excel workbook that will assist applicants in determining TDC limits required in Section IV.E.5.

On page 16576, in section IV.B.9.ll.(1), HUD is clarifying that applicants should fill in the information as requested on the form and refer to Section V.A.2.g of the General Section for more information.

On page 16576, paragraphs C.1.a. and C.2, HUD is extending the application submission date from June 29, 2005 to July 29, 2005. A similar change is being made on page 16577, paragraph C.3.b to reflect the revised submission date.

On page 16578, paragraph IV.F.2., HUD is adding a reminder to applicants that registration at Grants.gov may take more than two weeks.

On page 16580, a new paragraph VIV.F.8. will be added to provide guidance for first time Grants.gov users.

On page 16582, sections V.A.1.i.(1) through (3) are streamlined to provide information that is more concise and section V.A.1.i.(4) is renumbered to V.A.1.i.(2).

For clarity and consistency, on page 16587, sections V.A.8.a.(4)(iv), (v) and (vi) are being renumbered to 4(d), (e), and (f). Also on page 16587, in order to alleviate confusion, sections V.A.8.a.(4)(b), (c), (d), (e), and (f), are amended to explain that the number of public housing units will be the number of existing public housing units.

Accordingly, the Notice of Funding Availability for Revitalization of Severely Distressed Public Housing HOPE VI Revitalization Grants for Fiscal Year 2005, published in the **Federal Register** on March 31, 2005 (70 FR 16554) is corrected as follows:

1. On page 16554, first column, Overview Information, paragraph F.1, is revised to read as follows: F. Dates. 1. Application Submission Date: The application submission date shall be July 29, 2005. See the General Section

for application submission and timely receipt requirements.

2. On page 16558, in the middle column, revise paragraph III.C.1.k to read as follows:

k. Severe Distress of Targeted Project. The targeted public housing project must be severely distressed. See Section I.C. of this NOFA for the definition of “severely distressed.” If the targeted project is not severely distressed, your application will not be considered for funding. See Section IV.B.6.a of this NOFA for documentation requirements.

3. On page 16558, in the last column, revise paragraph III.C.2.a to read as follows:

a. False Statements. A false statement (or certification) in an application is grounds for denial or termination of an award and grounds for possible punishment as provided in 18 U.S.C. 1001, 1010, and 1012, and 32 U.S.C. 3729 and 3802. See Section IV.B of this NOFA for any documentation requirements related to these certifications.

4. On page 16559, in the first column, revise paragraph III.C.2.b.(2) to read as follows:

(2) See Section IV.B.6.b of this NOFA for documentation requirements.

5. On page 16559, in the middle column, revise paragraph III.C.2.c.(4) to read as follows:

(4) Standard Certifications. The last part of your application will be comprised of standard certifications common to many HUD programs. Required forms must be included in the HOPE VI application and will be available over the Internet at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>. See Section IV.B.5.f of this NOFA for documentation requirements.

6. On page 16559, in the middle column, revise paragraph III.C.3.a.(2) to read as follows:

(2) Severely Distressed Certification. Your application must include a certification that the targeted project is severely distressed. See Section IV.B.6.a of this NOFA for documentation requirements.

7. On page 16568, in the middle column, revise paragraph IV.A.3. to read as follows:

3. *Application Kits and Materials*. There are no application kits for our programs this year. All the information you need to apply will be in the NOFA. The application package will be available on the Internet at <http://www.grants.gov>. Suggested formats that are not included in the Grants.gov application package will be available on the Internet at <http://www.hud.gov/offices/adm/grants/otherhud.cfm>, and

<http://www.hud.gov/offices/pih/programs/ph/hope6/grants/fy05/index.cfm>.

8. On page 16568, in the last column, revise paragraph IV.B.1.a. by adding the following to the end of the paragraph: “Currently, registration of the AOR at grants.gov may take more than two (2) weeks. If the AOR is not registered by the application submission date, you will not be able to submit your application to grants.gov in a timely manner. Late applications are not considered for funding.”

9. On page 16571, section IV.B.4.d, the table, entitled “Milestone,” and the paragraph immediately following the table is revised to read as follows:

| Milestone | Date |
|---|-----------------|
| Grant Award | Sept. 27, 2005. |
| Grant Agreement Execution. | Dec. 1, 2005. |
| HUD's written request for Supplemental Submissions. | Jan. 15, 2006. |
| HUD's approval of Supplemental Submissions. | Feb. 15, 2006. |

If grant award takes place after September 27, 2005, the grantee's program schedule may be changed in the supplemental submissions to account for the period of time between September 27, 2005, and the actual date of grant award.

10. On page 16571, in the middle column, revise paragraph IV.B.5 and add a new paragraph IV.B.6 to read as follows:

5. Curable Applicant and Third Party Certification Thresholds Documentation. Omission of, or incorrect/improper signature on, any of the following documents is considered a technical deficiency and must be cured (corrected) within the cure period stated in Section V.B of the General Section. Applications that remain deficient after the cure period will not be considered for funding.

a. Market-rate Housing; Market Assessment Letter. (1) If you include market-rate housing, community facilities (if market-driven, a community facility that is primarily intended to facilitate the delivery of community and supportive services for residents of the targeted severely distressed public housing project and of off-site replacement housing does not need to be addressed in the market assessment letter, e.g., a YMCA), economic development and retail structures in your Revitalization plan, you must demonstrate that there is a demand for these market-rate housing units, community facilities, economic

development and retail structures of the type, number, and size proposed in the location you have chosen.

(2) In your application you must provide a preliminary market assessment letter prepared by an independent, third party, credentialed market research firm, or professional that describes its assessment of the demand and associated pricing structure for the proposed residential units and any community facilities, economic development, and retail structures, based on the market and economic conditions of the project area.

(3) If, after the cure period, this letter is not included in your application, the application will not be considered for funding.

b. HOPE VI Revitalization Applicant Certifications. The Chairman of your Board of Commissioners must certify to the requirements listed in the HOPE VI Revitalization Applicant Certifications. A suggested format for this certification is provided on the Internet at <http://www.hud.gov/offices/adm/grants/fundsavail.cfm>.

c. Operation and Management Principles and Policies Certification. You must certify that you will implement the Operation and Management Principles and Policies stated in Section III.C of this NOFA. The certification should reference 24 CFR part 966 and should outline the requirements in Section III.C.4.i. If, after the deficiency cure period, this certification is not properly included in your application, the application will not be considered for funding.

d. Relocation Plan Certification. You must certify that the HOPE VI Relocation plan has been completed and that it conforms to the URA requirements, and that it implements the goals stated in V.A.6 of this NOFA.

(a) You must certify that the HOPE VI Relocation Plan has been completed and:

(i) That it conforms to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA) requirements as described in Sections III.C.4 of this NOFA; and

(ii) That it implements HOPE VI relocation goals, as described in Section V.A.6 of this NOFA.

(b) If relocation was completed (*i.e.*, the targeted public housing site is vacant) as of the application submission date, rather than certifying that the HOPE VI Relocation Plan has been completed, you must certify that the relocation was completed in accordance with URA requirements.

(c) If, after the deficiency cure period, this certification is not properly included in your application, the

application will not be considered for funding.

e. Resident Involvement in the Revitalization Program Certification. You must submit a signed certification that resident training sessions and public meetings were held and that you involved affected public housing residents at the beginning and during the planning process for the revitalization program, prior to submission of an application. The certification must state that listed topics, as described in Section III.C.4 of this NOFA, were covered, that one of the meetings took place at the beginning of the revitalization planning process, and that two of the meetings and one training session took place after the publication date of this NOFA in the **Federal Register**. The certification must include the dates of the training session and meetings. The certification must show that each of the public meetings and resident training took place on different days. If, after the deficiency cure period, this certification is not properly included in your application, the application will not be considered for funding.

f. Standard Forms and Certifications. (1) The last part of your application will be comprised of standard certifications common to many HUD programs. Required forms are included in the HOPE VI Application and will be available electronically on the grants.gov website.

(2) For applicants who are granted a waiver to the electronic application process, these forms must be placed at the back of the application, except for the Application for Federal Assistance (SF-424) and the Acknowledgment of Application Receipt (HUD-2993). These two forms must be the first two pages of your application.

g. TDC and Extraordinary Site Costs Certification. (1) An Extraordinary Site Costs Certification must be included in your application if such costs are included in the calculations you used to determine your requested award amount. If this certification is not included in the application on or before the end of the deficient application cure period, extraordinary site costs will not be allowed in the award amount.

(2) The certification must be signed by a licensed engineer or architect who is not an employee of the housing authority or the city. The certification must include an engineer's or architect's license number and state of registration.

6. Non-Curable Applicant and Third Party Certification Thresholds Documentation. The following threshold certifications are non-curable. If any of the following documents are

omitted from your application, or are incorrectly/improperly executed, your application will not be considered for funding.

a. Severely Distressed Certification. You must certify that the target project is severely distressed. See Section I.C of this NOFA for the definition of "severely distressed." In order to certify to severe physical distress, your application must include a certification that is signed by an engineer or architect licensed by a state licensing board. The license does not need to have been issued in the same state as the severely distressed project. The engineer or architect must include his or her license number and state of registration on the certification. The engineer or architect may not be an employee of the housing authority or the city. A format for a Certification of Severe Physical Distress is provided on the Internet at <http://www.grants.gov>.

b. Selection of Developer. In order to be eligible for funding, you must provide a signed certification that:

(1) You have initiated an RFQ by the required application submission date for the competitive procurement of a developer for your first phase of construction. It is not necessary to have executed a Master Development Agreement with the selected developer in order to meet the threshold; or,

(2) You will act as your own developer for the proposed project.

c. Cost Control Standards Certification. You must include a certification by an independent cost estimator, architect, engineer, contractor, or other qualified third party professional that your cost estimates meet the standards of Section IV.E of this NOFA. The certifier cannot work for you.

11. On page 16572, in the middle column, renumber the paragraph currently numbered IV.B.6, and entitled, "6. Rating Factor Documentation," to read, "7. Rating Factor Documentation."

12. On page 16572, in the middle column, revise paragraph IV.B.7.a to read as follows:

a. Documentation for Capacity. See Section V.A.1 of this NOFA for documentation requirements. Include information on capacity in Exhibits B and E. HUD will obtain information on Capital Fund Program availability internally. However, you must include information from your PHA (or MTW) Plan on Capital Fund Program funds that are planned for other uses. HUD will also obtain information on your scores for the Public Housing Assessment System (PHAS), Regular Maintenance defect rate, and Section 8

Management Assessment Program (SEMAP) internally.

13. On page 16572, in the middle column, revise section IV.B.7.b.(2) to read as follows:

(2) See Sections V.A.2 and IV.B.9.c of this NOFA for the subjects and items that you should include in your Rating Factor narrative.

14. On page 16572, in the middle column, paragraphs IV.B.7.b.(3)(a), IV.B.7.b.(3)(b)(i) and IV.B.7.b.(3)(b)(ii) are revised by removing "FY 2000–2005 Capital Funds" are adding in its place "FY 2000–2004 Capital Funds."

15. On page 16573, in the third column, revise paragraph 7.j. to read as follows:

j. Documentation for Incentive Criteria on Regulatory Barrier Removal. You must include the completed form HUD-27300 in your application along with supporting references or documentation for affirmative statements as requested on the form. See Section V.A.2.g of the General Section for more information on this factor. You must answer the questions in either Part A or Part B of the form, but not both.

16. On page 16573, in the third column, renumber the paragraph currently numbered IV.B.6 and entitled, "6. Housing Choice Voucher (HCV) Assistance" to read, "8. Housing Choice Voucher (HCV) Assistance."

17. On page 16574, in the first column, renumber and revise the paragraph currently numbered, IV.B.7 and entitled, "7. Further Documentation Guidance on Narrative Exhibits and Specific Attachments" to read as follows:

9. Further Documentation Guidance on Narrative Exhibits and Specific Attachments.

a. Exhibit A. Verify that you have included information relating to the following:

(1) Executive Summary. Provide an Executive Summary, not to exceed three pages. Describe your Revitalization Plan, as clearly and thoroughly as possible. Do not argue for the need for the HOPE VI grant, but explain what you would do if you received a grant. Briefly describe why the targeted project is severely distressed, provide the number of units, and indicate how many of the units are occupied. Describe specific plans for the revitalization of the site. Include income mix, basic features (such as restoration of streets), and any mixed use or non-housing components. If you are proposing off site replacement housing, provide the number and type of units and describe the off site locations. Describe any homeownership components included in your Plan,

including numbers of units. Briefly summarize your plans for community and supportive services. State the amount of HOPE VI funds you are requesting, and list the other major funding sources you will use for your mixed-finance development. Identify whether you have procured a developer or whether you will act as your own developer.

(2) Physical Plan. Describe your planned physical revitalization activities:

(a) Rehabilitation of severely distressed public housing units in accordance with Sections I(D)(4) and III(C)(4) of the NOFA;

(b) Development of public housing replacement rental housing, both on-site and off-site in accordance with Sections I(D)(5) and III(C)(4)(b) of the NOFA;

(c) Indicate whether you plan to use PATH technologies and Energy Star in the construction of replacement housing in accordance with Section III(C)(4)(f) of the NOFA;

(d) Market rate housing units (see Sections III(C)(1)(e) and III(C)(3)(b)(1) for threshold requirements);

(e) Units to be financed with low-income housing tax credits;

(f) Replacement homeownership assistance for displaced public housing residents or other public housing-eligible low-income families, in accordance with Sections I(D)(6) and III(C)(4)(c) of the NOFA. Also describe any market-rate homeownership units planned, sources and uses of funds. Describe the relationship between the HOPE VI activities and costs and the development of homeownership units, both public housing and market rate. If you are selected for funding, you will be required to submit a Homeownership Proposal (homeownership term sheet);

(g) Rehabilitation or new construction of community facilities primarily intended to facilitate the delivery of community and supportive services for residents of the targeted development and residents of off-site replacement housing, in accordance with Sections I(D)(7) and III(C)(4)(d). Describe the type and amount of such space and how the facilities will be used in CSS program delivery or other activities;

(h) Land acquisition, and infrastructure and site improvements. Note that HOPE VI grant funds may not be used to pay hard development costs or to buy equipment for retail or commercial facilities;

(3) Hazard Reduction. Review Sections I(D), III(C)(4), and IV(E) of the NOFA. For units to be rehabilitated or demolished, describe the extent of any required abatement of environmentally hazardous materials such as asbestos.

(4) Demolition. Review Sections I(D)(2) and III(C)(4)(a) of the NOFA. Describe your plans for demolition, including the buildings (dwelling and non-dwelling units) proposed to be demolished, the purpose of the demolition, and the use of the site after demolition. If the proposed demolition was previously approved as a Section 18 demolition application, state the date the Section 18 demolition application was submitted to HUD and the date it was approved by HUD. Indicate whether you plan to implement the concept of Deconstruction, as described in Section III(C)(4)(g)(2) of the NOFA.

(5) Disposition. Review Sections I(D)(3) and III(C)(4) of the NOFA. Describe the extent of any planned disposition of any portion of the site. Cite the number of units or acreage to be disposed, the method of disposition (sale, lease, trade), and the status of any disposition application made to HUD.

(6) Site Improvements. Review Sections I(D), III(C)(4), and IV(E) of the NOFA. Describe any proposed on-site improvements, including infrastructure requirements, changes in streets, etc. Describe all public improvements needed to ensure the viability of the proposed project with a narrative description of the sources of funds available to carry out such improvements.

(7) Site Conditions. Review Sections I(D), III(C)(4), and IV(E) of the NOFA. Describe the conditions of the site to be used for replacement housing. Listing all potential contamination or danger sources (e.g. smells, fire heat, explosion and noise) that might be hazardous or cause discomfort to residents, PHA personnel, or construction workers. List potential danger sources, including commercial and industrial facilities, brownfields and other sites with potentially contaminated soil, commercial airports and military airfields. Note any facilities and/or activities within one mile of the proposed site.

(8) Separability. Section III(C)(1)(j) of the NOFA. If applicable, address the separability of the revitalized building(s) within the targeted project.

(9) Proximity. If applicable, describe how two contiguous projects meet the requirement of Section III(C)(1)(c)(1) of the NOFA, or how scattered sites meet the requirements of Section III(C)(1)(c)(2) of the NOFA,

b. Exhibit B. Verify that you have included information relating to the following:

(1) PHAS, Maintenance, and SEMAP. Respond to the PHAS Rating Factors V(A)(1)(h), V(A)(1)(i), and V(A)(1)(j) of

the NOFA. See Section IV(B) for documentation requirements.

(2) *Development Capacity of Developer*. Respond to Rating Factor V(A)(1)(b) of the NOFA. See Section IV(B) for documentation requirements.

(3) *Development Capacity of Applicant*. Respond to Rating Factor V(A)(1)(c) of the NOFA. See Section IV(B) for documentation requirements.

(4) *Capacity of Existing HOPE VI Revitalization Grantees*. Respond to Rating Factor V(A)(1)(d) of the NOFA. This rating factor applies only to PHAs with existing HOPE VI Revitalization grants from fiscal years 1993–2002. Production achievement numbers will be taken from the HOPE VI Quarterly Progress Reports for the quarter ending December 31, 2004. See Section IV(B) for documentation requirements.

(5) *CSS Program Capacity*. Respond to Rating Factor V(A)(1)(e) of the NOFA. See Section IV(B) for documentation requirements.

(6) *Property Management Capacity*. Respond to Rating Factor V(A)(1)(f) of the NOFA. See Section IV(B) for documentation requirements.

(7) *PHA or MTW Plan*. Respond to Rating Factor V(A)(1)(g) of the NOFA. See Section IV(B) for documentation requirements.

c. Exhibit C. Verify that you have included information relating to the following:

(1) *Need for Revitalization: Severe Physical Distress of the Public Housing Site*. Respond to Rating Factor V(A)(2)(a) of the NOFA. See Section IV(B) for documentation requirements.

(2) *Need for Revitalization: Impact of the Severely Distressed Site on the Surrounding Neighborhood*. Respond to Rating Factor V(A)(2)(b) of the NOFA. See Section IV(B) for documentation requirements.

(3) *Need for HOPE VI Funding (Obligation of Capital Funds)*. Respond to Rating Factor V(A)(2)(c) of the NOFA. If you are a Moving to Work participant and are not required to enter obligations into LOCCS, provide a certification of your obligation rate of your FY 2000–2004 Capital Funds. If you are not a participant in MTW, you must provide information on your Capital Funds. The portion of the PHA Plan that lists the planned uses of your FY 2000–2004 Capital Funds should be included in the application (Attachment 37). See Section IV(B) for other documentation requirements.

(4) *Previously-Funded Sites*. Respond to Section III(C)(1)(h) of the NOFA. See Section IV(B) for documentation requirements.

(5) *Need for Affordable, Accessible Housing in the Community*. Respond to

Rating Factor V(A)(2)(d) of the NOFA. See Section IV(B) for documentation requirements.

d. Exhibit D. Verify that you have included information relating to the following:

(1) *Resident and Community Involvement*. Discuss your communications about your development plan and HUD communications with residents, community members, and other interested parties. Include the resident training attachment. Respond to Rating Factor V(A)(4) of the NOFA. See Section IV(B) for documentation requirements.

e. Exhibit E. Respond to Section V(A)(5) of the NOFA. See Section IV(B) for documentation requirements. Verify that you have included information relating to the following. *Endowment Trust*. If you plan to place CSS funds in an Endowment Trust, review Section III(C)(4)(k) and Section V(A)(5), and state the dollar amount and percentage of the entire grant that you plan to place in the Trust. Case Management and Needs Identification;

(1) Transition to Housing Self-Sufficiency and Housing Self-Sufficiency Time Frame

(2) Partner Commitments

(3) Quality and Results Orientation.

f. Exhibit F. Verify that you have included information relating to the following:

(1) *Housing Choice Voucher Needs*. Review Section III(C)(4)(n) and V(A)(6) of the NOFA. State the number of Housing Choice Vouchers that will be required for relocation if this HOPE VI application is approved, both in total and the number needed for FY 2005. Indicate the number of units and the bedroom breakout. As applicable, include a Housing Choice Voucher application to the application. See Section IV(B) for documentation requirements.

(2) *Relocation Plan*. Review Sections III(C)(2)(c)(2) and III(C)(4)(o) of the NOFA and respond to Rating Factor V(A)(6). For additional guidance on developing a relocation plan, refer to CPD Notice 04–02 (“Guidance on the Application of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended, in HOPE VI Projects”). See Section IV(B) for documentation requirements.

g. Exhibit G. Verify that you have included information relating to the following:

(1) *Accessibility*. Respond to Rating Factor V(A)(7)(a)(1). See Section IV(B) for documentation requirements;

(2) *Universal Design*. Respond to Rating Factor V(A)(7)(a)(2). See Section IV(B) for documentation requirements;

(3) *Fair Housing*. Respond to Rating Factor V(A)(7)(b)(1). See Section IV(B) for documentation requirements; and

(4) *Section 3*. Respond to Rating Factor V(A)(7)(b)(2). See Section IV(B) for documentation requirements.

h. Exhibit H. Verify that you have included information relating to the following:

(1) *Unit Mix and Need for Affordable Housing*. Respond to Rating Factor V(A)(8)(a);

(2) *Off-Site Housing*. Respond to Rating Factor V(A)(8)(b); and

(3) *Homeownership Housing*. Respond to Rating Factor V(A)(8)(c).

i. Exhibit I. Verify that you have included information relating to the following:

(1) *Appropriateness of Proposal*. Respond to Section III(C)(1)(b). See Section IV(B) for documentation requirements.;

(2) *Appropriateness and Feasibility of the Plan*. Respond to Rating Factor V(A)(9)(b);

(3) *Neighborhood Impact and Sustainability of the Plan*. Respond to Rating Factor V(A)(9)(c);

(4) *Design*. Describe the features of your proposed design and respond to Rating Factor V(A)(9)(e);

(5) *Energy Star*. Respond to Rating Factor V(A)(9)(f); and

(6) *Evaluation*. Respond to Rating Factor V(A)(9)(g).

j. Attachments 1 through 7.

(1) These attachments are required in all applications. See the instructions for filling out the HOPE VI Application Data Forms, Appendix 1, at the end of this NOFA.

k. Attachment 8.

(1) This attachment is required in all applications. In addition to the instructions included in the HOPE VI Budget form, general guidance on preparing a HOPE VI budget can be found on the Grant Administration page of the HOPE VI Web site, <http://www.hud.gov/offices/pih/programs/ph/hope6/>.

l. Attachment 9.

(1) *Form HUD–52799, “TDC/Grant Limitations Worksheet”*. This attachment is required in all applications. The Excel workbook will assist you in determining your TDC limits required in Section IV.E.5.

m. Attachment 10.

(1) *Extraordinary Site Costs Certification*. This attachment is applicable only if you request funds to pay for extraordinary site costs, outside the TDC limits. See section IV.E. See Section IV(B) for documentation requirements.

n. Attachment 11.

(1) Cost Certification. This attachment is required in all applications. Provide a certification of cost estimates in accordance with Sections III(C)(3)(a)(1) and IV(E). This certification may be in the form of a letter. See Section IV(B) for documentation requirements.

o. Attachment 12.

(1) *City Map*. This attachment is required in all applications. Provide a to-scale city map that clearly identifies the following in the context of existing city streets, the central business district, other key city sites, and census tracts:

- (a) The existing development;
- (b) Replacement neighborhoods, if available;
- (c) Off-site properties to be acquired, if any;
- (d) The location of the Federally-designated Empowerment Zone or Enterprise Community (if applicable); and
- (e) Other useful information to place the project in the context of the city, county, or municipality and other revitalization activity underway or planned.

(2) If you request funds for more than one project or for scattered site housing, the map must clearly show that the application meets the NOFA's site and unit requirements. If you have received a waiver to the electronic submission requirement, this map may be submitted on 8½" by 14" paper.

p. Attachment 13.

(1) This attachment is required in all applications, in accordance with Section III(C)(2)(a)(1). *The Developer Certification* may be in the form of a letter. See Section IV(B) for documentation requirements.

q. Attachment 14.

(1) Provide a certification that you and/or your selected Property Manager will implement the operation and management principles and policies identified in Section III(C)(2)(c)(1) (and Section III(C)(4)(i)). This certification may be in the form of a letter. See Section IV(B) for documentation requirements.

r. Attachment 15. *Program Schedule*. This attachment is required in all applications. Review Sections III(C)(1)(i) and VI(B)(2) and provide a program schedule accordingly. Your program schedule MUST contain all timeframe requirements listed in the NOFA. Further, the program schedule MUST indicate the date on which the development proposal for EACH phase of the revitalization plan will be submitted to HUD. See Section IV(B) for documentation requirements.

s. Attachment 16.

(1) *Certification of Severe Physical Distress*. This attachment is required in

all applications. In accordance with Sections I(C)(4) and III(C)(3)(a)(2), an engineer or architect must complete Attachment 16. No backup documentation is required for this certification. See Section IV(B) for documentation requirements. No backup documentation is required for this certification.

t. Attachment 17.

(1) *Photographs of the Severely Distressed Housing*. This attachment is required in all applications. Review Rating Factor V(A)(2)(a). Submit photographs of the targeted severely distressed public housing that illustrate the extent of physical distress. See Section IV(B) for documentation requirements.

u. Attachment 18.

(1) *Neighborhood Conditions*. This attachment is required in all applications. Submit documentation described in Rating Factor V(A)(2)(b). Documentation may include crime statistics, photographs or renderings, socio-economic data, trends in property values, evidence of property deterioration and abandonment, evidence of underutilization of surrounding properties, and other indications of neighborhood distress and/or disinvestment. See Section IV(B) for documentation requirements.

v. Attachments 19 through 22.

(1) *These attachments are included in form HUD 52797, "HOPE VI Revitalization Leverage Resources," and are required in all applications.*

(2) *Physical Development Resources*. In accordance with Rating Factor V(A)(3)(b), complete this Attachment 19, as provided in this application, by entering the dollar value of each resource that will be used for physical development. For each resource entered, you must submit backup documentation in Attachment 19. See Section IV(B) for documentation requirements.

(3) *CSS Resources*. In accordance with Rating Factor V(A)(3)(c), complete this Attachment 20, as provided in this Application, by entering the dollar value of all resources that will be used for CSS activities. For each resource entered, submit backup documentation in Attachment 20. See Section IV(B) for documentation requirements.

(4) *Anticipatory Resources*. Complete Attachment 21, as provided in this Application, by entering the dollar value of all anticipatory resources as described in Rating Factor V(A)(3)(d). For each resource entered, submit backup documentation in Attachment 21. See Section IV(B) for documentation requirements.

(5) *Collateral Resources*. Complete Attachment 22, as provided in this

Application, by entering the dollar value of all collateral resources as described in Rating Factor V(A)(3)(e). For each resource entered, submit backup documentation behind Attachment 22. See Section IV(B) for documentation requirements.

w. Attachment 23.

(1) *Form HUD-52785, "Resident Training and Public Meeting Certification."* Review Section III(C)(2)(c)(3) and complete Attachment 23. See Section III(C)(4)(k) for Resident and Community Involvement requirements. See Section IV(B) for documentation requirements. *This form is available from Grants.gov.*

x. Attachment 24.

(1) *Commitments with CSS Providers*. In accordance with Section V(A)(5)(f), provide letters from CSS providers that have made commitments to participate in your CSS activities if you are awarded a HOPE VI Revitalization grant under the NOFA. See Section IV(B) for documentation requirements.

y. Attachment 25.

(1) *HOPE VI Revitalization Relocation Plan Certification*. In accordance with Sections III(C)(2)(c)(2) and III(C)(4)(o), submit a certification that you have completed a HOPE VI Relocation Plan in conformance with the URA. This certification may be in the form of a letter. Refer to CPD Notice 04-02 for additional guidance, including a template.

z. Attachment 26.

(1) *Completed Relocation Certification*. If you have completed your relocation on or before the application submission date, include this attachment, in accordance with Sections III(C)(2)(c)(2) and III(C)(4)(o). This certification may be in the form of a letter.

aa. Attachment 27.

(1) *Documentation of Site Control for Off-Site Public Housing*. This is applicable if your plan includes off-site housing or other development. If applicable, provide evidence of site control for rental replacement units or land, in accordance with Section III(C)(l). See Section IV(B) for documentation requirements.

bb. Attachment 28.

(1) *Documentation of Environmental, and Site & Neighborhood Standards*. This is applicable if your plan includes off-site housing or other off-site development. Provide a certification that the site(s) acquired for off-site public housing meet environmental and site and neighborhood standards, as provided in Section V(A)(8)(b)(2). This certification may be in the form of a letter. See Section IV(B) for documentation requirements.

cc. Attachment 29.

(1) *Preliminary Market Assessment Letter*. This is applicable if you include market rate housing in your application, in accordance with Section III(C)(3)(b)(1). See Section IV(B) for documentation requirements.

dd. Attachment 30.

(1) *Certification of Zoning Approval or Documentation*. This is applicable if your application includes off-site housing or other development, in accordance with Section III(C)(1)(m). See Section IV(B) for documentation requirements. This attachment may be a certification or backup documentation.

ee. Attachment 31.

(1) *Form HUD-52787, "HOPE VI Revitalization Project Readiness Certification"*. This attachment is required in all applications. Complete Attachment 31 by indicating which of the items in Rating Factor V(A)(9)(d) of the NOFA have been completed. See Section IV(B) for documentation requirements.

ff. Attachment 32.

(1) *Current Site Plan*. This attachment is required in all applications. The Site Plan shows the targeted public housing site's various buildings and identifies which buildings are to be rehabilitated, demolished, or disposed of. Demolished buildings should be shown and labeled as such.

gg. Attachment 33.

(1) *Photographs of Architecture in the Surrounding Community*. This attachment is required in all applications. Provide photographs to demonstrate that your plan conforms to the Design requirements of Rating Factor V(A)(9)(e) of the NOFA (pg. 64163). See Section IV(B) for documentation requirements.

hh. Attachment 34.

(1) *Conceptual Site Plan*. This attachment is required in all applications. *The Conceptual Site Plan* indicates where your plan's proposed construction and rehabilitation activities will take place and any planned acquisition of adjacent property and/or buildings. Review Section V(A)(9)(e). See Section IV(B) for documentation requirements.

ii. Attachment 35.

(1) *Conceptual Building Elevations*. This attachment is required in all applications. Review Section V(A)(9)(e). Include building elevation drawings for the various types of your proposed housing. See Section IV(B) for documentation requirements.

jj. Attachment 36.

(1) *Evaluation Commitment Letter(s)*. This attachment is required in all applications. Review Section V(A)(9)(g) and provide the requested commitment

letter(s) that addresses the indicated evaluation areas.

kk. Attachment 37.

(1) *Portions of the PHA or MTW Plan*. This attachment is required, and should be included in all applications. The portion of the PHA Plan that you include should support your narrative in Exhibit B and cover planned uses of Capital Fund Program funding and inclusion of the targeted project's revitalization. Review Rating Factor V(A)(2)(c) and the documentation requirements at IV(B)(6)(b).

ll. Attachment 38.

(1) *Form HUD-96010, "Logic Model,"* This attachment is required in all applications. This form is available from Grants.gov. Fill in the information as requested on the form. See Section V.A.2.g of the General Section for more information on this form (See Section VI.C.2. for post award reporting instructions.)

mm. Attachment 39.

(1) *Form HUD-27300, "America's Affordable Communities Initiative."* This attachment is required in all applications. *This form is available from Grants.gov.*

nn. Attachment 40.

(1) *HOPE VI Revitalization Applicant Certification*. This attachment is required in all applications. *This form is available from Grants.gov.*

(2) Note that these certifications (4 page document) must be signed by the Chairman of the Board of the PHA, NOT the Executive Director.

oo. Attachment 41. *Standard Forms and Certifications*. These documents include:

(a) Disclosure of Lobbying Activities (SF-LLL), as applicable.

(b) Form HUD-2880, "Applicant/Recipient Disclosure/Update Report." *This form is available from Grants.gov.*

Form HUD-52515, "Funding Application, Section 8 Tenant-Based Assistance, Rental Certificate Program, Rental Voucher Program." *This form is available from Grants.gov.* It is applicable only if you are requesting Housing Choice Vouchers that are related to your proposed plan.

18. On page 16576, second column, paragraphs C.1.a. and C.2 are revised by removing the date June 29, 2005 and adding in its place the date, July 29, 2005.

19. On page 16577, first column, paragraph C.3.b is revised by removing the date June 29, 2005 and adding in its place the date, July 29, 2005.

20. On page 16578, in the third column, revise paragraph IV.F.2. by adding the following to the end of the paragraph: "Currently, registration at Grants.gov may take more than two (2)

weeks. If you are not registered by the application submission date, you will not be able to submit your application to Grants.gov in a timely manner. Late applications are not considered for funding."

21. On page 16580, in the middle column, add a new paragraph IV.F.8. to read as follows:

8. Guidance for First Time Grants.gov Users. The PureEdge Grant Application Package on Grants.gov will prohibit application submittal if any "Mandatory Documents" are not completed. Even if you will not use the "HUD Facsimile Transmittal," it must be completed and moved to the "Mandatory Completed Documents for Submission" block of the Package. If you do not intend to use this fax cover sheet, in completing the form, for #6 choose "other" and for #7 enter "0" (zero).

22. On page 16582, in the first column, remove paragraphs V.A.1.i.(1) through (3) and replace with the following:

(1) Through PHAS, HUD measures the prevalence of items that need to be fixed (defects) in PHAs' public housing developments. PHAs receive a report entitled "Comparison of the Top 20 Observed Defects (Projected)." HUD conducts analyses related to this report. In these analyses, HUD separates the regular maintenance projected defects from the total projected defects (other categories of defects include capital and life threatening/exigent health and safety), applies them across all units in the PHA's inventory and develops a rate of defects per unit. HUD will compare the PHA's most recent PHAS projected number of regular maintenance defects per unit and compare it to the previous projected number of regular maintenance defects per unit. (a) You will receive 2 points if your projected number of regular maintenance defects per unit has improved. (b) You will receive 0 points if your projected number of regular maintenance defects per unit has not improved."

23. On page 16582, in the middle column, renumber paragraph V.A.1.i.(4) to read i.(2).

24. On page 16583, in the first column, paragraph V.A.2.c.(1) is revised by removing "FY 2000-2005 Capital Fund" are adding in its place "FY 2000-2004 Capital Fund."

25. On page 16587, in the middle column, renumber paragraphs V.A.8.a.(4)(iv), (v), and (vi) to 4(d), (e), and (f) and revise paragraphs (4)(b) through (4)(f) to read as follows:

(b) The percentages below are defined as the number of planned project-based affordable units divided by the number of existing public housing units that the

targeted project contained on the application submission date;

(c) You will receive 3 Points if your application demonstrates that the number of project-based affordable units in your plan is 125 percent or more of the number of existing public housing units that the targeted project contained on the application submission date;

(d) You will receive 2 Points if your application demonstrates that the number of project-based affordable units in your plan is 110 to 124 percent of the number of existing public housing units that the targeted project contained on the application submission date

(e) You will receive 1 Point if your application demonstrates that the number of project-based affordable units in your plan is 100 to 109 percent of the number of existing public housing units that the targeted project contained on the application submission date.

(f) You will receive 0 Points if your application demonstrates that the number of project-based affordable units in your plan is less than the number of existing public housing units that the targeted project contained on the application submission date or if your application does not address this factor to an extent that makes HUD's rating of this factor possible.

Dated: May 25, 2005.

Milan Ozdinec,

Acting Deputy Assistant Secretary for Public Housing and Voucher Programs.

[FR Doc. 05-10857 Filed 5-31-05; 8:45 am]

BILLING CODE 4210-33-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Class III Gaming Compacts taking effect.

SUMMARY: Notice is given that the Tribal-State Compacts between the Iowa Tribe, the Modoc Tribe, the Ottawa Tribe, the Delaware Nation, and the Sac & Fox Nation and the State of Oklahoma, are considered to have been approved and are in effect.

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

SUPPLEMENTARY INFORMATION: Under Section 11 (d)(7)(D) of the Indian

Gaming Regulatory Act of 1988 (IGRA), Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior must publish in the **Federal Register** notice of any Tribal-State compact that is approved, or considered to have been approved for the purpose of engaging in Class III gaming activities on Indian lands. The Acting Principal Deputy Assistant Secretary-Indian Affairs, Department of the Interior, through his delegated authority did not approve or disapprove these compacts before the date that is 45 days after the date these compacts were submitted. These compacts authorize these Indian tribes to engage in certain Class III gaming activities, provides for certain geographical exclusivity, limits the number of gaming machines at existing racetracks, and prohibits non-tribal operation of certain machines and covered games. Therefore, pursuant to 25 U.S.C. 2710(d)(7)(C), these compacts are considered to have been approved, but only to the extent they are consistent with IGRA.

Dated: May 18, 2005.

Michael D. Olsen,

Acting Principal Deputy Assistant Secretary—Indian Affairs.

[FR Doc. 05-10877 Filed 5-31-05; 8:45 am]

BILLING CODE 4310-4N-P

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

Indian Gaming

AGENCY: Bureau of Indian Affairs, Interior.

ACTION: Notice of Approved Tribal—State Class III Gaming Compact.

SUMMARY: This notice publishes an Approval of the Amended and Restated Tribal-State Government-to-Government Compact for the regulation of Class III Gaming on the Warm Springs Reservation.

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT: George T. Skibine, Director, Office of Indian Gaming Management, Office of the Deputy Assistant Secretary—Policy and Economic Development, Washington, DC 20240, (202) 219-4066.

SUPPLEMENTARY INFORMATION: Under Section 11 of the Indian Gaming Regulatory Act of 1988 (IGRA), Public Law 100-497, 25 U.S.C. 2710, the Secretary of the Interior shall publish in the **Federal Register** notice of approved Tribal-State compacts for the purpose of engaging in class III gaming activities on Indian lands. This Amended and Restated Tribal-State Compact

supercedes in its entirety the 1995 Tribal-State Compact as amended by Amendments I through XI, for the regulation of gaming at the Ka-Nee-Ta gaming facility on the Warm Springs Reservation. The Associate Deputy Secretary, Department of the Interior, through his delegated authority, is publishing notice that the Amended and Restated Tribal-State Government-to-Government Compact for the Regulation of Class III Gaming on the Warm Springs Reservation is in effect.

Dated: May 20, 2005.

James E. Cason,

Associate Deputy Secretary.

[FR Doc. 05-10878 Filed 5-31-05; 8:45 am]

BILLING CODE 4310-4N-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY-920-1320-EL, WYW163339]

Coal Lease Exploration License, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of invitation for coal exploration license.

SUMMARY: Pursuant to section 2(b) of the Mineral Leasing Act of 1920, as amended by section 4 of the Federal Coal Leasing Amendments Act of 1976, 90 Stat. 1083, 30 U.S.A. 201(b), and to the regulations adopted at 43 CFR 3410, all interested parties are hereby invited to participate with Antelope Coal Company on a pro rata cost sharing basis in its program for the exploration of coal deposits owned by the United States of America in the following-described lands in Campbell and Converse Counties, WY:

T. 40 N., R. 71 W., 6th P.M., Wyoming

Sec. 5: Lots 8, 9, 16-18;

Sec. 6: Lots 8-23;

Sec. 7: Lots 5-18;

Sec. 8: Lots 1-16;

Sec. 9: Lots 2-16;

Sec. 10: Lots 5, 6, 11-14;

Sec. 15: Lots 3-6, 11-14;

Sec. 17: Lots 1-16;

T. 41 N.R. 71 W., 6th P.M., Wyoming

Sec. 7: Lots 5-20;

Sec. 8: Lots 1-14, N½SE¼;

Sec. 9: Lots 1-16;

Sec. 10: Lots 9-16;

Sec. 14: Lots 3, 4;

Sec. 15: Lots 1-5, 12, 13;

Sec. 17: Lots 1-16;

Sec. 18: Lots 5-20;

Sec. 19: Lots 4-19;

Sec. 20: Lots 1-16;

Sec. 21: Lots 1-16;

Sec. 22: Lots 2, 7, 8, 14-16;

Sec. 27: Lots 6-11;

Sec. 28: Lots 1-8;

Sec. 29: Lots 1–8, 12, 13;
 Sec. 30: Lots 5–16;
 Sec. 31: Lots 5–20;
 Sec. 32: Lots 4, 5, 12, 13.
 Containing 12,065.54 acres, more or less.

All of the coal in the above-described land consists of unleased Federal coal within the Powder River Basin Known Recoverable Coal Resource Area. The purpose of the exploration program is to obtain data regarding the structure and quality of the coal.

ADDRESSES: The proposed exploration program is fully described and will be conducted pursuant to an exploration plan to be approved by the Bureau of Land Management. Copies of the exploration plan are available for review during normal business hours in the following offices (serialized under number WYW163339): Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, P.O. Box 1828, Cheyenne, WY 82003; and, Bureau of Land Management, Casper Field Office, 2987 Prospector Drive, Casper, WY 82604.

SUPPLEMENTARY INFORMATION: This notice of invitation will be published in *The News-Record* of Gillette, WY, once each week for two consecutive weeks beginning the week of May 23, 2005, and in the **Federal Register**. Any party electing to participate in this exploration program must send written notice to both the Bureau of Land Management and Antelope Coal Company no later than thirty days after publication of this invitation in the **Federal Register**. The written notice should be sent to the following addresses: Antelope Coal Company, Attn: Patrick Baumann, P.O. Box 3008, Gillette, WY 82717, and the Bureau of Land Management, Wyoming State Office, Branch of Solid Minerals, Attn: Mavis Love, P.O. Box 1828, Cheyenne, WY 82003. The foregoing is published in the **Federal Register** pursuant to 43 CFR 3410.2–1(c)(1).

Alan Rabinoff,

Deputy State Director, Minerals and Lands.
 [FR Doc. 05–10923 Filed 5–26–05; 4:53 pm]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[WY–920–09–1320–EL, WYW163341]

Coal Lease Exploration License, WY

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of invitation for coal exploration license.

SUMMARY: Pursuant to section 2(b) of the Mineral Leasing Act of 1920, as amended by section 4 of the Federal Coal Leasing Amendments Act of 1976, 90 Stat. 1083, 30 U.S.C. 201(b), and to the regulations adopted as 43 CFR 3410, all interested parties are hereby invited to participate with Jacobs Ranch Coal Company on a pro rata cost sharing basis in its program for the exploration of coal deposits owned by the United States of America in the following-described lands in Campbell County, WY:

T. 44 N., R. 70 W., 6th P.M., Wyoming
 Sec. 17: Lots 1–16;
 Sec. 18: Lots 5–20;
 Sec. 19: Lots 5–20;
 Sec. 20: Lots 1–16;
 T. 44 N., R. 71 W., 6th P.M., Wyoming
 Sec. 13: Lots 1–16;
 Sec. 14: Lots 1–16;
 Sec. 23: Lots 1–16;
 Sec. 24: Lots 1–16;
 Sec. 26: Lots 1–16.

Containing 5,874.15 acres, more or less.

All of the coal in the above-described land consists of unleased Federal coal within the Powder River Basin Known Coal Leasing Area and the Powder River Basin Known Recoverable Coal Resources Area. The purpose of the exploration program is to obtain coal quality data to supplement data from previous adjacent coal exploration programs.

ADDRESSES: The proposed exploration program is fully described and will be conducted pursuant to an exploration plan to be approved by the Bureau of Land Management. Copies of the exploration plan are available for review during normal business hours in the following offices (serialized under number WYW163341): Bureau of Land Management, Wyoming State Office, 5353 Yellowstone Road, P.O. Box 1828, Cheyenne, WY 82003; and, Bureau of Land Management, Casper Field Office, 2987 Prospector Drive, Casper, WY 82604.

SUPPLEMENTARY INFORMATION: This notice of invitation will be published in *The News-Record* of Gillette, WY, once each week for two consecutive weeks beginning the week of May 23, 2005, and in the **Federal Register**. Any party electing to participate in this exploration program must send written notice to both the Bureau of Land Management and Jacobs Ranch Coal Company no later than thirty days after publication of this invitation in the **Federal Register**. The written notice should be sent to the following addresses: Jacobs Ranch Coal Company, Attn: Darryl Maunder, Caller Box 3013, Gillette, WY 82717, and the Bureau of

Land Management, Wyoming State Office, Branch of Solid Minerals, Attn: Julie Weaver, P.O. Box 1828, Cheyenne, WY 82003.

The foregoing is published in the **Federal Register** pursuant to 43 CFR 3410.2–1(c)(1).

Dated: April 12, 2005.

Alan Rabinoff,

Deputy State Director, Minerals and Lands.
 [FR Doc. 05–10926 Filed 5–26–05; 4:53 pm]

BILLING CODE 4310–22–P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT–926–05–1910–BJ–5REO]

Montana: Filing of Plat of Survey

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of filing of plat of survey.

SUMMARY: The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, (30) days from the date of publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Marvin Montoya, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, P.O. Box 36800, Billings, Montana 59107–6800, telephone (406) 896–5124 or (406) 896–5009.

SUPPLEMENTARY INFORMATION: This survey was executed at the request of the Fort Peck Agency, through the Rocky Mountain Regional Director, Bureau of Indian Affairs and was necessary to determine Trust and Tribal land. The lands we surveyed are:

Principal Meridian, Montana

T. 26 N., R. 42 E.

The plat, in 3 sheets, representing the dependent resurvey of portions of the subdivisional lines, the adjusted original meanders of the former left bank of the Missouri River and Milk River, upstream through sections 33 and 34, and the subdivision of sections 33 and 34, subdivided sections 33 and 34, and surveyed the meanders of the present left bank of the abandoned channel of the Milk River, upstream through sections 33 and 34, the medial line of the abandoned channel of the Milk River, through sections 33 and 34, and certain division of accretion and partition lines in sections 33 and 34, Township 27 North, Range 42 East, Principal Meridian, Montana, was accepted May 20, 2005.

We will place a copy of the plat, in 3 sheets, and related field notes we described in the open files. They will be available to the public as a matter of information.

If BLM receives a protest against this survey, as shown on this plat, in 3 sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest.

We will not officially file this plat, in 3 sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

Dated: May 24, 2005.

Heidi L. Pfosch,

Acting Chief Cadastral Surveyor, Division of Resources.

[FR Doc. 05-10858 Filed 5-31-05; 8:45 am]

BILLING CODE 4310--\$S-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[UT-954-05-1910-BM-4677]

Montana: Filing of Plats of Amended Protraction Diagrams

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of Filing of Plats of Amended Protraction Diagrams.

SUMMARY: The Bureau of Land Management (BLM) will file the plats of the amended protraction diagrams of the lands described below in the BLM Montana, State Office, Billings, Montana, (30) days from the date of publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Steven G. Schey, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, P.O. Box 36800, Billings, Montana 59107-6800, telephone (406) 896-5132 or (406) 896-5009.

SUPPLEMENTARY INFORMATION: The amended protraction diagrams were prepared at the request of the U.S. Forest Service and are necessary to accommodate Revision of Primary Base Quadrangle Maps for the Geometronics Service Center.

The lands for the prepared amended protraction diagrams are:

Principal Meridian, Montana

Tps. 29, 30, 31, and 32 N., Rs. 32, 33, 34, and 35 W.

The plat, representing the Amended Protraction Diagram 40 Index of unsurveyed Townships 29, 30, 31, and 32 North, Ranges 32, 33, 34, and 35 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 29 N., R. 32 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 29 North, Range 32 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 29 N., R. 34 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 29 North, Range 34 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 29 N., R. 35 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 29 North, Range 35 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 30 N., R. 32 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 30 North, Range 32 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 30 N., R. 33 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 30 North, Range 33 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 30 N., R. 35 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 30 North, Range 35 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 31 N., R. 32 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 31 North, Range 32 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 31 N., R. 33 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 31 North, Range 33 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 31 N., R. 35 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 31 North, Range 35 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 32 N., R. 32 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 32 North, Range 32 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 32 N., R. 33 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 32 North, Range 33 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 32 N., R. 35 W.

The plat, representing Amended Protraction Diagram 40 of unsurveyed Township 32 North, Range 35 West, Principal Meridian, Montana, was accepted April 20, 2005.

Tps. 29 and 32 N., Rs. 26 and 27 W.

The plat, representing the Amended Protraction Diagram 41 Index of unsurveyed

Townships 29 and 32 North, Ranges 26 and 27 West, Principal Meridian, Montana, was accepted April 20, 2005.

T. 29 N., R. 27 W.

The plat, representing Amended Protraction Diagram 41 of unsurveyed Township 29 North, Range 27 West, Principal Meridian, Montana was accepted April 20, 2005.

T. 32 N., R. 26 W.

The plat, representing Amended Protraction Diagram 41 of unsurveyed Township 32 North, Range 26 West, Principal Meridian, Montana was accepted April 20, 2005.

We will place copies of the plats of the amended protraction diagrams we described in the open files. They will be available to the public as a matter of information.

If BLM receives a protest against these amended protraction diagrams, as shown on these plats, prior to the date of the official filings, we will stay the filings pending our consideration of the protest.

We will not officially file these plats of the amended protraction diagrams until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

Dated: May 23, 2005.

Heidi L. Pfosch,

Acting Chief Cadastral Surveyor, Division of Resources.

[FR Doc. 05-10859 Filed 5-31-05; 8:45 am]

BILLING CODE 4310--\$S-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT-926-05-9820-BJ-MT01]

Montana: Filing of Plat of Survey

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of Filing of Plat of Survey.

SUMMARY: The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, (30) days from the date of publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Steve Toth, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, P.O. Box 36800, Billings, Montana 59107-6800, telephone (406) 896-5121 or (406) 896-5009.

SUPPLEMENTARY INFORMATION: This survey was executed at the request of the U.S. Forest Service and was

necessary to delineate Forest Service lands. The lands we surveyed are:

Principal Meridian, Montana

T. 31 N., R. 18 W.

The plat, in 3 sheets, representing the dependent resurvey of a portion of the north boundary, Homestead Entry Survey No. 870 and the adjusted original meanders of the former left bank of the Middle Fork of the Flathead River through section 36, Township 32 North, Range 18 West, and unsurveyed section 1, Township 31 North, Range 18 West, and a portion of Homestead Entry Survey No. 1101 and the adjusted original meanders of the former left bank of the Middle Fork of the Flathead River in unsurveyed section 1 and the survey of a portion of a medial line, a certain tract line and certain partition lines of an abandoned channel of the Middle Fork of the Flathead River in unsurveyed section 1, a portion of the meanders of the former right bank of the Middle Fork of the Flathead River (Glacier National Park Boundary) downstream through unsurveyed section 1, the meanders of the present left bank of the Middle Fork of the Flathead River downstream through unsurveyed section 1, the meanders of the present right bank of the Middle Fork of the Flathead River (Glacier National Park Boundary) downstream through unsurveyed section 1 and the metes and bounds description of warranty deeds now designated Parcels A, B, C, D, and E, within Homestead Entry Survey No. 870 in section 36, in Township 32 North, Range 18 West and unsurveyed section 1, in Township 31 North, Range 18 West, Principal Meridian, Montana, was accepted May 20, 2005.

T. 32 N., R. 18 W.

The plat, in 1 sheet, representing the dependent resurvey of a portion of the east boundary and a portion of the subdivisional lines and the survey of a portion of the medial line of an abandoned channel of the Middle Fork of the Flathead River in section 36, the meanders of the former right bank of the Middle Fork of the Flathead River (Glacier National Park Boundary), upstream through section 36, and the meanders of a portion of the present left bank of the Middle Fork of the Flathead River, downstream, through section 36, in Township 32 North, Range 18 West, Principal Meridian, Montana, was accepted May 20, 2005.

We will place copies of the plats and related field notes we described in the open files. They will be available to the public as a matter of information. If BLM receives a protest against this

survey, as shown on these plats, prior to the date of the official filing, we will stay the filing pending our consideration of the protest.

We will not officially file these plats until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

Dated: May 23, 2005.

Heidi L. Pfosch,

Acting Chief Cadastral Surveyor, Division of Resources.

[FR Doc. 05-10860 Filed 5-31-05; 8:45 am]

BILLING CODE 4310--\$S-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[MT-926-05-1910-BJ-5REO]

Montana: Filing of Plat of Survey

AGENCY: Bureau of Land Management, Montana State Office, Interior.

ACTION: Notice of Filing of Plat of Survey.

SUMMARY: The Bureau of Land Management (BLM) will file the plat of survey of the lands described below in the BLM Montana State Office, Billings, Montana, (30) days from the date of publication in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: Marvin Montoya, Cadastral Surveyor, Branch of Cadastral Survey, Bureau of Land Management, 5001 Southgate Drive, P.O. Box 36800, Billings, Montana 59107-6800, telephone (406) 896-5124 or (406) 896-5009.

SUPPLEMENTARY INFORMATION: This survey was executed at the request of the Fort Peck Agency, through the Rocky Mountain Regional Director, Bureau of Indian Affairs and was necessary to determine Trust and Tribal lands. The lands we surveyed are:

Principal Meridian, Montana

T. 26 N., R. 45 E.

The plat, in 3 sheets, representing the dependent resurvey of portions of the west boundary, subdivisional lines, the adjusted original meanders of the former left bank of the Missouri River, downstream through section 7, and the subdivision of section 7, subdivided section 7, and surveyed the new meanders of the present left bank of the Missouri River, downstream through section 7, and certain division of accretion lines in section 7, Township 26 North, Range 45 East, Principal Meridian, Montana, was accepted May 20, 2005.

We will place a copy of the plat, in 3 sheets, and related field notes we

described in the open files. They will be available to the public as a matter of information.

If BLM receives a protest against this survey, as shown on this plat, in 3 sheets, prior to the date of the official filing, we will stay the filing pending our consideration of the protest.

We will not officially file this plat, in 3 sheets, until the day after we have accepted or dismissed all protests and they have become final, including decisions or appeals.

Dated: May 24, 2005.

Heidi L. Pfosch,

Acting Chief Cadastral Surveyor, Division of Resources.

[FR Doc. 05-10861 Filed 5-31-05; 8:45 am]

BILLING CODE 4310--\$S-P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of extension of an information collection (1010-0050).

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), MMS is inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) concerns the paperwork requirements in the regulations under 30 CFR 250, Subpart J, "Pipelines and Pipeline Rights-of-Way."

DATES: Submit written comments by August 1, 2005.

ADDRESSES: You may submit comments by any of the following methods listed below. Please use the Information Collection Number 1010-0050 as an identifier in your message.

- Public Connect on-line commenting system, <https://occonnect.mms.gov>. Follow the instructions on the Web site for submitting comments.

- E-mail MMS at rules.comments@mms.gov. Identify with Information Collection Number 1010-0050 in the subject line.

- Fax: 703-787-1093. Identify with Information Collection Number 1010-0050.

- Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Process Team (RPT); 381 Elden Street, MS-4024; Herndon, Virginia 20170-4817. Please reference "Information

Collection 1010-0050" in your comments.

FOR FURTHER INFORMATION CONTACT:

Cheryl Blundon, Rules Processing Team at (703) 787-1600. You may also contact Cheryl Blundon to obtain a copy, at no cost, of the regulation and the form that requires the subject collection of information.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR Part 250, Subpart J, Pipelines and Pipeline Rights-of-Way.
Form(s): MMS-2030.

OMB Control Number: 1010-0050.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and

to preserve and maintain free enterprise competition.

The Independent Offices Appropriations Act (31 U.S.C. 9701), the Omnibus Appropriations Bill (Pub. L. 104-133, 110 Stat. 1321, April 26, 1996), and Office of Management and Budget (OMB) Circular A-25, authorize Federal agencies to recover the full cost of services that confer special benefits. Under the Department of the Interior's (DOI) implementing policy, the Minerals Management Service (MMS) is required to charge the full cost for services that provide special benefits or privileges to an identifiable non-Federal recipient above and beyond those which accrue to the public at large. Pipeline rights-of-way and assignments are subject to cost recovery, and MMS regulations specify filing fees for applications.

This submittal concerns the regulations at 30 CFR part 250, subpart J, on pipelines and pipeline rights-of-way. It also covers the related Notices to Lessees and Operators (NTLs) that MMS issues to clarify and provide additional guidance on some aspects of the regulations.

Included with this submission is form MMS-2030, Outer Continental Shelf Right-of-Way Grant Bond. Section 250.1011(a) requires applicants for, and holders of, a right-of-way to provide and

maintain a \$300,000 bond (in addition to the bond coverage required under 30 CFR part 256), as well as additional security MMS determines is necessary. Respondents submit form MMS-2030 for these right-of-way grant bonds.

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2) and under regulations at 30 CFR 250.196, "Data and information to be made available to the public." No items of a sensitive nature are collected. Responses are mandatory.

Frequency: On occasion.

Estimated Number and Description of Respondents: Approximately 130 Federal OCS lessees and 115 holders of pipeline rights-of-way.

Estimated Reporting and Recordkeeping "Hour" Burden: The currently approved annual reporting burden for this collection is 106,086 hours. The following chart details the individual components and respective hour burden estimates of this ICR. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

| Citation 30 CFR 250 subpart J and related NTL(s) | Reporting & recordkeeping requirements | Hour burden |
|---|---|---------------------------|
| 1000(b), 1007(a) | Submit application to install new lease-term pipeline (P/L), including exceptions/departures, consents and notices, required reports, and attachments. | 140 |
| 1000(b), (d); 1007(a); 1009(a); 1011(a); 1015; 1016 | Apply for P/L right-of-way (ROW) grant and installation of new ROW P/L, including exceptions/departures, consents and notices, required reports, and attachments. | 140 |
| 1000(b); 1007(b); 1015; 1017 | Submit application to modify lease-term or ROW P/L or ROW grant, including exceptions/departures; notify operators of deviation. | 40 |
| 1000(b); 1010(h); 1014 | Apply to relinquish P/L ROW grant, including exceptions/departures | 8 |
| 1000(c)(2) | Identify in writing P/L operator on ROW if different from ROW grant holder | .25 |
| 1000(c)(3) | Mark specific point on P/L where operating responsibility transfers to transporting operator or depict transfer point on a schematic located on the facility. One-time requirement after final rule published; now part of application or construction process involving no additional burdens. | 0 |
| 1000(c)(4) | Petition to MMS for exceptions to general operations transfer point description | 5 |
| 1000(c)(8) | Request MMS recognize valves landward of last production facility but still located on OCS as point where MMS regulatory authority begins. | 1 |
| 1000(c)(12) | Petition to MMS to continue to operate under DOT regulations upstream of last valve on last production facility. | 40 |
| 1000(c)(13) | Transporting P/L operator petition to DOT and MMS to continue to operate under MMS regulations. | 40 |
| 1004(c) | Place sign on safety equipment identified as ineffective and removed from service | See footnote ¹ |
| 1008(a), (c), (d), (e), (f), (h) | Notify MMS; and as requested submit procedures before performing work; and submit post-report on P/L or P/L safety equipment repair, removal from service, analysis results, or potential measurements. | 16 |
| 1008(b) | Submit P/L construction report | 16 |
| 1008(g) | Submit plan of corrective action and report of remedial action | 16 |
| 1010(c) | Notify MMS of any archaeological resource discovery | 4 |
| 1010(d) | Inform MMS of P/L ROW holder's name and address changes | (3) |
| 1011(a) | Submit surety bond on form MMS-2030 | .25 |
| 1015 | Apply to convert lease-term P/L to ROW grant P/L; notify operators of deviation, including various exceptions/departures. | 20 |
| 1016 | Request opportunity to eliminate conflict when application has been rejected | 1 |
| 1018 | Apply for assignment of a ROW grant | 16 |

| Citation 30 CFR 250 subpart J and related NTL(s) | Reporting & recordkeeping requirements | Hour burden |
|--|---|-------------|
| 1000–1019 | General departure and alternative compliance requests not specifically covered elsewhere in subpart J regulations. | 2 |
| Reporting | | |
| 1000–1008 | Make available to MMS design, construction, operation, maintenance, testing, and repair records on lease-term P/Ls ² . | 2 |
| 1005(a) | Inspect P/L routes for indication of leakage ¹ , record results, maintain records 2 years ² | 24 |
| 1010(g) | Make available to MMS design, construction, operation, maintenance, testing, and repair records on P/L ROW area and improvements ² . | 10 |
| Recordkeeping | | |

¹ These activities are usual and customary practices for prudent operators.

² Retaining these records is usual and customary business practice; required burden is minimal to make available to MMS.

³ Except under 5 CFR 1320.3(b).

Estimated Reporting and Recordkeeping “Non-Hour Cost”

Burden: The currently approved annual non-hour cost burden for collection 1010–0050 is \$370,100. Section 250.1015(a) specifies that an applicant must pay a non-refundable filing fee when applying for a pipeline right-of-way grant to install a new pipeline (\$2,350) or to convert an existing lease-term pipeline into a right-of-way pipeline (\$300). Under § 250.1018(b) an applicant must pay a non-refundable filing fee (\$60) when applying for approval of an assignment of a right-of-way grant.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency “* * * to provide notice * * * and otherwise consult with members of the public and affected agencies concerning each proposed collection of information * * *”. Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency’s estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Agencies must also estimate the “non-hour cost” burdens to respondents or recordkeepers resulting from the collection of information. Therefore, if

you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information, monitoring, and record storage facilities. You should not include estimates for equipment or services purchased: (i) Before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

Public Comment Procedure: MMS’s practice is to make comments, including names and addresses of respondents, available for public review. If you wish your name and/or address to be withheld, you must state this prominently at the beginning of your comment. MMS will honor this request to the extent allowable by law; however, anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

MMS Information Collection Clearance Officer: Arlene Bajusz (202) 208–7744.

Dated: May 25, 2005.

E.P. Danenberger,
Chief, Office of Offshore Regulatory Programs.
[FR Doc. 05–10894 Filed 5–31–05; 8:45 am]
BILLING CODE 4310–MR–P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of extension of an information collection (1010–0057).

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), MMS is inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) concerns the paperwork requirements in the regulations under 30 CFR 250, Subpart C, “Pollution Prevention and Control.”

DATES: Submit written comments by August 1, 2005.

ADDRESSES: You may submit comments by any of the following methods listed below. Please use the Information Collection Number 1010–0057 as an identifier in your message.

- Public Connect on-line commenting system, <https://occonnect.mms.gov>. Follow the instructions on the Web site for submitting comments.

- E-mail MMS at rules.comments@mms.gov. Identify with Information Collection Number 1010–0057 in the subject line.

• Fax: 703-787-1093. Identify with Information Collection Number 1010-0057.

• Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Process Team (RPT); 381 Elden Street, MS-4024; Herndon, Virginia 20170-4817. Please reference "Information Collection 1010-0057" in your comments.

FOR FURTHER INFORMATION CONTACT:

Cheryl Blundon, Rules Processing Team at (703) 787-1600. You may also contact Cheryl Blundon to obtain a copy, at no cost, of the regulations that require the subject collection of information.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR Part 250, Subpart C, Pollution Prevention and Control.

OMB Control Number: 1010-0057.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner which is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human,

marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

Section 1332(6) states that "operations in the [O]uter Continental Shelf should be conducted in a safe manner by well-trained personnel using technology, precautions, and techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstruction to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property, or endanger life or health." Section 1334(a)(8) requires that regulations prescribed by the Secretary include provisions "for compliance with the national ambient air quality standards pursuant to the Clean Air Act (42 U.S.C. 7401 *et seq.*), to the extent that activities authorized under this Act significantly affect the air quality of any State." Section 1843(b) calls for "regulations requiring all materials, equipment, tools, containers, and all other items used on the Outer Continental Shelf to be properly color coded, stamped, or labeled, wherever practicable, with the owner's identification prior to actual use."

This is a routine information collection request (ICR) concerning the regulations at 30 CFR part 250, subpart

C, Pollution Prevention and Control. It also covers the related Notices to Lessees and Operators (NTLs) that the Minerals Management Service (MMS) issues to clarify and provide additional guidance on some aspects of the regulations.

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2) and under regulations at 30 CFR 250.196, "Data and information to be made available to the public." No items of a sensitive nature are collected. Responses are mandatory.

Frequency: On occasion, monthly, or annually, daily for inspection recordkeeping; varies by section.

Estimated Number and Description of Respondents: Approximately 130 Federal OCS oil and gas or sulphur lessees and 17 states.

Estimated Reporting and Recordkeeping "Hour" Burden: The currently approved annual reporting burden for this collection is 159,913 hours. The following chart details the individual components and respective hour burden estimates of this ICR. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

| Citation 30 CFR 250 subpart C and NTL(s) | Reporting and recordkeeping requirement | Hour burden |
|--|--|-------------------------------------|
| Reporting Requirement | | |
| 300(b)(1), (2) | Obtain approval to add petroleum-based substance to drilling mud system or approval for method of disposal of drill cuttings, sand, & other well solids, including those containing naturally occurring radioactive material (NORM). | 3. |
| 300(c) | Mark items that could snag or damage fishing devices | 1/2. |
| 300(d) | Report items lost overboard | 1. |
| 303(a) thru (d), (i), (j); 304(a), (f) | Submit, modify, or revise Exploration Plans and Development and Production Plans; submit information required under 30 CFR 250, subpart B. | Burden covered under 1010-0049. |
| 303(k); 304(g) | If requested, submit additional or follow-up monitoring information for year 2000 study of selected sites in the BNWA area. | 8. |
| 303(k); 304(a), (g) | If requested, submit additional or follow-up monitoring information for year 2000 study of selected sites in the western/central GOM area on ozone and regional haze air quality. | 4. |
| 303(k); 304(a), (g) | Monitor air quality emissions and submit data to MMS or to a State (new 1-year study of sites in the western/central GOM area on ozone and regional haze air quality; data collection in 2005; report submitted in 2006). | 2 hours per month × 12 months = 24. |
| 303(l); 304(h) | Collect and submit meteorological data (not routinely collected). | None planned in the next 3 years. |
| 304(a), (f) | Affected State may submit request to MMS for basic emission data from existing facilities to update State's emission inventory. | 4. |
| 304(e)(2) | Submit compliance schedule for application of best available control technology (BACT). | 40. |

| Citation 30 CFR 250 subpart C and NTL(s) | Reporting and recordkeeping requirement | Hour burden |
|---|---|----------------------------------|
| 304(e)(2) Apply for suspension of operations. | Burden covered under 1010-0114. | |
| 304(f) | Submit information to demonstrate that exempt facility is not significantly affecting air quality of onshore area of a State. | 8. |
| 300-304 | General departure and alternative compliance requests not specifically covered elsewhere in subpart C regulations. | 2. |
| Recordkeeping Requirement | | |
| 300(d) | Record items lost overboard | 1. |
| 301(a) | Inspect drilling/production facilities daily for pollution; maintain inspection/repair records 2 years. | 1/4 hour/day × 365 days = 91.25. |

Estimated Reporting and Recordkeeping "Non-Hour Cost"

Burden: We have identified no cost burdens for this collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency " * * * to provide notice * * * and otherwise consult with members of the public and affected agencies concerning each proposed collection of information * * * ". Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Agencies must also estimate the "non-hour cost" burdens to respondents or recordkeepers resulting from the collection of information. Therefore, if you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for

collecting information, monitoring, and record storage facilities. You should not include estimates for equipment or services purchased: (i) Before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

Public Comment Procedure: MMS's practice is to make comments, including names and addresses of respondents, available for public review. If you wish your name and/or address to be withheld, you must state this prominently at the beginning of your comment. MMS will honor this request to the extent allowable by law; however, anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

MMS Information Collection Clearance Officer: Arlene Bajusz (202) 208-7744.

Dated: May 25, 2005.

E.P. Danenberger,
Chief, Office of Offshore Regulatory Programs.
[FR Doc. 05-10895 Filed 5-31-05; 8:45 am]

BILLING CODE 4310-MR-P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

Agency Information Collection Activities: Proposed Collection; Comment Request

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice of extension of an information collection (1010-0059).

SUMMARY: To comply with the Paperwork Reduction Act of 1995 (PRA), MMS is inviting comments on a collection of information that we will submit to the Office of Management and Budget (OMB) for review and approval. The information collection request (ICR) concerns the paperwork requirements in the regulations under 30 CFR 250, Subpart H, "Oil and Gas Production Safety Systems."

DATES: Submit written comments by August 1, 2005.

ADDRESSES: You may submit comments by any of the following methods listed below. Please use the Information Collection Number 1010-0059 as an identifier in your message.

- Public Connect on-line commenting system, <https://occonnect.mms.gov>. Follow the instructions on the Web site for submitting comments.

- E-mail MMS at rules.comments@mms.gov. Identify with Information Collection Number 1010-0059 in the subject line.

- Fax: (703) 787-1093. Identify with Information Collection Number 1010-0059.

- Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Attention: Rules Process Team (RPT); 381 Elden Street, MS-4024; Herndon, Virginia 20170-4817. Please reference "Information Collection 1010-0059" in your comments.

FOR FURTHER INFORMATION CONTACT:

Cheryl Blundon, Rules Processing Team at (703) 787-1600. You may also contact

Cheryl Blundon to obtain a copy, at no cost, of the regulations that require the subject collection of information.

SUPPLEMENTARY INFORMATION:

Title: 30 CFR Part 250, Subpart H, Oil and Gas Production Safety Systems.

OMB Control Number: 1010-0059.

Abstract: The Outer Continental Shelf (OCS) Lands Act, as amended (43 U.S.C. 1331 *et seq.* and 43 U.S.C. 1801 *et seq.*), authorizes the Secretary of the Interior (Secretary) to prescribe rules and regulations to administer leasing of the OCS. Such rules and regulations will apply to all operations conducted under a lease. Operations on the OCS must preserve, protect, and develop oil and natural gas resources in a manner that is consistent with the need to make such resources available to meet the Nation's energy needs as rapidly as possible; to balance orderly energy resource development with protection of human, marine, and coastal environments; to ensure the public a fair and equitable return on the resources of the OCS; and to preserve and maintain free enterprise competition.

The OCS Lands Act at 43 U.S.C. 1332(6) states that "operations in the [O]uter Continental Shelf should be

conducted in a safe manner by well-trained personnel using technology, precautions, and techniques sufficient to prevent or minimize the likelihood of blowouts, loss of well control, fires, spillages, physical obstruction to other users of the waters or subsoil and seabed, or other occurrences which may cause damage to the environment or to property, or endanger life or health."

This notice concerns the reporting and recordkeeping elements of 30 CFR part 250, subpart H, Oil and Gas Production Safety Systems, and related Notices to Lessees and Operators that clarify and provide additional guidance on some aspects of the regulations.

MMS OCS Regions use the information submitted under subpart H to evaluate equipment and/or procedures that lessees propose to use during production operations, including evaluation of requests for departures or use of alternative procedures. Information submitted is also used to verify the no-flow condition of wells to continue the waiver of requirements to install valves capable of preventing backflow. MMS inspectors review the records maintained to verify compliance

with testing and minimum safety requirements.

We will protect information from respondents considered proprietary under the Freedom of Information Act (5 U.S.C. 552) and its implementing regulations (43 CFR part 2) and under regulations at 30 CFR 250.196, "Data and information to be made available to the public," and 30 CFR part 252, "OCS Oil and Gas Information Program." No items of a sensitive nature are collected. Responses are mandatory.

Frequency: On occasion or annual.

Estimated Number and Description of Respondents: Approximately 130 Federal OCS oil and gas or sulphur lessees.

Estimated Reporting and Recordkeeping "Hour" Burden: The currently approved annual reporting burden for this collection is 11,357 hours. The following chart details the individual components and respective hour burden estimates of this ICR. In calculating the burdens, we assumed that respondents perform certain requirements in the normal course of their activities. We consider these to be usual and customary and took that into account in estimating the burden.

| Citation 30 CFR 250 subpart H and NTL(s) | Reporting and recordkeeping requirement | Hour burden |
|--|---|-------------|
| Reporting | | |
| 800; 801; 802; 803; related NTLs | Submit application and request approval for design, installation, and operation of subsurface safety devices and surface production-safety systems; including related requests for departures or use of alternative procedures (supervisory control and data acquisition systems, valve closure times, time delay circuitry, etc.). | 8 |
| 801(g) | Submit annual verification of no-flow condition of well | 2 |
| 801(h)(1) | Form MMS-124, Sundry Notices and Reports on Wells (renamed Application for Permit to Modify). | (1) |
| 801(h)(2); 803(c) | Identify well with sign on wellhead that subsurface safety device is removed; flag safety devices that are out of service. | (2) |
| 802(e)(5) | Submit statement certifying final surface production safety system installed conforms to approved design. | 3 |
| 803(b)(8); related NTLs | Submit information (risk assessment) to request "new" firefighting system departure approval (GOMR). | 4 |
| 803(b)(8); related NTLs | Submit information (risk assessment) to retain current firefighting system departure approval (GOMR). | 4 |
| 803(b)(8)(iv) | Post diagram of 2 firefighting system | 2 |
| 804(a)(12); 800 | Notify MMS prior to production when ready to conduct pre-production test and upon commencement for a complete inspection. | 1½ |
| 804; related NTLs | Request departure from testing schedule requirements. | 1 |
| 804; related NTLs | Submit copy of state-required Emergency Action Plan (EAP) containing test abatement plans (Pacific OCS Region). | 1 |
| 806(c) | Request evaluation and approval of other quality assurance programs covering manufacture of SPPE. | 2 |
| 800-807 | General departure and alternative compliance requests not specifically covered elsewhere in subpart H regulations. | 4 |
| Recordkeeping | | |
| 801(h)(2); 802(e); 804(b) | Maintain records on subsurface and surface safety devices to include approved design & installation features, testing, repair, removal, etc. | 12 |
| 803(b)(1)(iii), (2)(i) | Maintain pressure-recorder charts | 12 |
| 803(b)(4)(iii) | Maintain schematic of the emergency shutdown (ESD) which indicates the control functions of all safety devices. | 4 |
| 803(b)(11) | Maintain records of wells that have erosion-control programs and results | 4 |

¹ Burden covered under 1010-0045.

² Usual/customary safety procedure for removing or identifying out-of-service safety devices.

Estimated Reporting and Recordkeeping "Non-Hour Cost"

Burden: We have identified no cost burdens for this collection.

Public Disclosure Statement: The PRA (44 U.S.C. 3501, *et seq.*) provides that an agency may not conduct or sponsor a collection of information unless it displays a currently valid OMB control number. Until OMB approves a collection of information, you are not obligated to respond.

Comments: Before submitting an ICR to OMB, PRA section 3506(c)(2)(A) requires each agency " * * * to provide notice * * * and otherwise consult with members of the public and affected agencies concerning each proposed collection of information * * * ". Agencies must specifically solicit comments to: (a) Evaluate whether the proposed collection of information is necessary for the agency to perform its duties, including whether the information is useful; (b) evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) enhance the quality, usefulness, and clarity of the information to be collected; and (d) minimize the burden on the respondents, including the use of automated collection techniques or other forms of information technology.

Agencies must also estimate the "non-hour cost" burdens to respondents or recordkeepers resulting from the collection of information. Therefore, if you have costs to generate, maintain, and disclose this information, you should comment and provide your total capital and startup cost components or annual operation, maintenance, and purchase of service components. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information, monitoring, and record storage facilities. You should not include estimates for equipment or services purchased: (i) before October 1, 1995; (ii) to comply with requirements not associated with the information collection; (iii) for reasons other than to provide information or keep records for the Government; or (iv) as part of customary and usual business or private practices.

We will summarize written responses to this notice and address them in our

submission for OMB approval. As a result of your comments, we will make any necessary adjustments to the burden in our submission to OMB.

Public Comment Procedure: MMS's practice is to make comments, including names and addresses of respondents, available for public review. If you wish your name and/or address to be withheld, you must state this prominently at the beginning of your comment. MMS will honor this request to the extent allowable by law; however, anonymous comments will not be considered. All submissions from organizations or businesses, and from individuals identifying themselves as representatives or officials of organizations or businesses, will be made available for public inspection in their entirety.

MMS Information Collection Clearance Officer: Arlene Bajusz (202) 208-7744.

Dated: May 25, 2005.

E.P. Danenberger,

Chief, Office of Offshore Regulatory Programs.
[FR Doc. 05-10896 Filed 5-31-05; 8:45 am]

BILLING CODE 4310-MR-P

DEPARTMENT OF THE INTERIOR

National Park Service

National Register of Historic Places; Notification of Pending Nominations and Related Actions

Nominations for the following properties being considered for listing or related actions in the National Register were received by the National Park Service before May 7, 2005. Pursuant to section 60.13 of 36 CFR Part 60 written comments concerning the significance of these properties under the National Register criteria for evaluation may be forwarded by United States Postal Service, to the National Register of Historic Places, National Park Service, 1849 C St., NW., 2280, Washington, DC 20240; by all other carriers, National Register of Historic Places, National Park Service, 1201 Eye St., NW., 8th floor, Washington, DC 20005; or by fax, 202-371-6447. Written

or faxed comments should be submitted by June 16, 2005.

John W. Roberts,

Acting Chief, National Register/National Historic Landmarks Program.

CALIFORNIA

Alameda County

Havens, Weston, House, 255 Panoramic Way, Berkeley, 05000597

Lassen County

Standish Hall, 718-820 U.S. 395 E, Standish, 05000596

COLORADO

Larimer County

Moraine Park Museum and Amphitheater, (Rocky Mountain National Park MPS) Rocky Mountain National Park, Estes Park, 05000602

DELAWARE

New Castle County

Air Service, Inc Hangar at Bellanca Airfield, DE 273 and Center Point Blvd, New Castle, 05000601

FLORIDA

Miami-Dade County

Coc Plum Woman's Club, (Clubhouses of Florida's Woman's Clubs MPS), 1375 Sunset Dr. (SW 72nd St.), Coral Gables, 05000598

Sarasota County

Central—Cocoanut Historic District, 11th St., Tamiami Tr., 22nd Dt. and RR tracks, Sarasota, 05000599

ILLINOIS

Sangamon County

Town House, The, (Multiple Family Dwellings in Springfield, Illinois MPS), 718 7th St., Springfield, 05000603

INDIANA

Daviess County

Union Church and Cemetery, Old, 1125 E Approx 3/8 mi. S of jct. with 700 S, Alfordsville, 05000605

Howard County

Kokomo High School and Memorial Gymnasium, (Indiana's Public Common and High Schools MPS), 303 E Superior St. and 400 Apperson Way N, Kokomo, 05000607

Jackson County

Jackson, Joseph, Hotel, 2420 S. Main St., Vallonia, 05000610

Knox County

Nicholson, Andrew, Farmstead, 12095 E IN 550, Wheatland, 05000606

Lake County

Lake County Sanatorium Nurses Home, 2323 N. Main St., Crown Point, 05000608

Martin County

Martin County Courthouse, 220 Capital Ave.,
Shoals, 05000604

Wabash County

Honeywell Studio, 378 N. IN 15, Wabash,
05000609

MISSISSIPPI**Franklin County**

Lucien Bridge, (Historic Bridges of
Mississippi TR), Over McCall Cr, on
Stewart Rd., at Lucien, McCall Creek,
05000611

MISSOURI**Miller County**

Sanning, P.A., Store, 256 MO H, Mary's
Home, 05000613

St. Louis Independent City

Forest Park Southeast Historic District
(Boundary Increase), 4170–4370 (even) and
4229–4341 (odd) Manchester Ave., St.
Louis (Independent City), 05000612

NEW JERSEY**Morris County**

Bottle Hill Historic District, James Park, 1–
105 Ridgedale ave., Borough of Madison,
05000614

NEW YORK**Kings County**

Church of the Holy Innocents, 279 E. 17th
St., Brooklyn, 05000617

New York County

Building at 210 East 68th Street, 210 E. 68th
St., New York, 05000619
Hotel Theresa, 2082–2096 Adam Clayton
Powell, Jr. Blvd., New York, 05000618

Queens County

Queens County Savings Bank, 75–44 Main
St., Kew Gardens Hills, 05000620

OKLAHOMA**Pittsburg County**

Warden's House, Penitentiary Blvd and West
St., McAlester, 05000615

Roger Mills County

Break O'Day Farm, 0.5 mi. SE of jct of E0680
Rd. and N1750 Rd., Durham, 05000616

WISCONSIN**Walworth County**

Maple Park Historic District, Generally
bounded by North, Cook, Main and
Maxwell Sts., Lake Geneva, 05000621

A request for REMOVAL has been made for
the following resource:

WISCONSIN**Walworth County**

Smith, T.C., House 865 Main St. Lake
Geneva, 82001852

[FR Doc. 05–10788 Filed 5–31–05; 8:45 am]

BILLING CODE 4212–51–P

DEPARTMENT OF THE INTERIOR**National Park Service****Notice of Inventory Completion: U.S. Department of Agriculture, Forest Service, Inyo National Forest, Bishop, CA**

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the U.S. Department of Agriculture, Forest Service, Inyo National Forest, Bishop, CA. The human remains were removed from Inyo National Forest, Mono County, CA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Inyo National Forest professional staff in consultation with representatives of the Mono Lake Indian Community (a nonfederally recognized Indian group); Mono Lake Kuzedikaa Indian Cultural Preservation Foundation (a nonfederally recognized Indian group); Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California; and Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California.

In 1953 and 1954, human remains representing a minimum of two individuals were removed from site CA-Mno-26, Mono County, CA, by Mr. Harmon E. Nolan. Mr. Nolan discovered the human remains while working a mining claim in Inyo National Forest. Mr. Nolan donated the human remains to the Phoebe A. Hearst Museum in 1954. The Phoebe A. Hearst Museum transferred physical custody of the human remains to the Inyo National Forest in 2004. No known individuals were identified. No associated funerary objects are present.

The human remains were found interred under flat stones, and one was flexed. Both circumstances indicate that these were aboriginal burials, and that the human remains are Native American in origin. Because of the acidic nature of the soil due to a volcanic origin and colonization by coniferous forest, there

is little organic preservation. The fact that the human remains were intact indicates that deposition was during the late Prehistoric or the Historic period, suggesting an association of the human remains with the ethnographically known peoples of this area.

Long Valley is an area ethnographically affiliated with both the Owens Valley and Northern Paiute tribes. Site CA-Mno-26 falls within the traditional aboriginal territory claimed by the Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California.

Officials of the Inyo National Forest have determined that, pursuant to 25 U.S.C. 3001 (9- 0), the human remains described above represent the physical remains of two individuals of Native American ancestry. Officials of the Inyo National Forest also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Dr. Linda Reynolds, Inyo National Forest, 351 Pacu Lane, Bishop, CA 93514, telephone (760) 873–2423 before July 1, 2005. Repatriation of the human remains to the Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California may proceed after that date if no additional claimants come forward.

The Inyo National Forest is responsible for notifying the Mono Lake Indian Community (a nonfederally recognized Indian group); Mono Lake Kuzedikaa Indian Cultural Preservation Foundation (a nonfederally recognized Indian group); Paiute-Shoshone Indians of the Bishop Community of the Bishop Colony, California; and Utu Utu Gwaitu Paiute Tribe of the Benton Paiute Reservation, California.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks

[FR Doc. 05–10799 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR**National Park Service****Notice of Intent to Repatriate Cultural Items: U.S. Department of Agriculture, Forest Service, Gila National Forest, Silver City, NM; Arizona State Museum, University of Arizona, Tucson, AZ; and Logan Museum of Anthropology, Beloit College, Beloit, WI****AGENCY:** National Park Service, Interior.**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items in the control of the U.S. Department of Agriculture, Forest Service, Gila National Forest, Silver City, NM, and in the physical custody of the Arizona State Museum, University of Arizona, Tucson, AZ, and Logan Museum of Anthropology, Beloit College, Beloit, WI, that meet the definition of "unassociated funerary objects" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural items. The National Park Service is not responsible for the determinations in this notice.

In 1933, cultural items were removed from the Mogollon Village site in Gila National Forest, Catron County, NM, during legally authorized excavations and collections conducted by Dr. Emil Haury of the Gila Pueblo Foundation. The 14 cultural items found with or near Native American human remains include 1 pottery bowl, 1 stone bowl, 4 projectile points, 2 stone tools, 1 tubular bead, 3 shell bracelet fragments, and 2 mineral pieces. In 1950, the Gila Pueblo Foundation transferred the cultural items to the Arizona State Museum. Material culture, architecture, and site organization indicate that the Mogollon Village site is an Upland Mogollon pithouse village occupied between A.D. 600–1050.

In 1935, cultural items were removed from Geronimo Canyon Ruin in Gila National Forest, Catron County, NM, during legally authorized excavations and collections conducted by Paul H. Nesbitt of Logan Museum of Anthropology, Beloit College. The 19 cultural items are 12 pottery bowls, 3 pottery jars, 3 pottery pitchers, and 1 pottery olla. Based on material culture,

Geronimo Canyon Ruin has been identified as an Upland Mogollon site occupied before A.D. 1300.

Between 1935 and 1936, cultural items were removed from the Starkweather Ruin in Gila National Forest, Catron County, NM, during legally authorized excavations and collections conducted by Paul H. Logan Museum of Anthropology, Beloit College. The 13 cultural items found with or near Native American human remains include 5 pottery bowls, 3 strands of clay and shell beads, 1 shell necklace, 1 strand of clay beads, 1 bunch of shell beads from a necklace, 1 shell bracelet, and 1 bunch of turquoise beads and pendants from a necklace. Material culture, architecture, and site organization indicate that Starkweather Ruin is an Upland Mogollon pithouse village occupied between A.D. 1100–1300.

Between 1947 and 1949, cultural items were removed from the Jewett Gap site in Gila National Forest, Catron County, NM, during excavations conducted by J.S. Deric O'Bryan of the Gila Pueblo Foundation. In 1950, the Gila Pueblo Foundation transferred the cultural items to Arizona State Museum. The 909 cultural items are 190 pottery vessels, 608 shell beads, 8 shell bracelets, 5 shell pendants, 3 pebbles, 1 piece of shell, 1 piece of bone, 7 projectile points, 2 projectile point fragments, 2 stone awls, 1 stone axe, 73 pieces of chipped stone, 7 pieces of malachite, and 1 crystal. Based on material culture, architecture and site organization, the Jewett Gap site has been identified as an Upland Mogollon pueblo occupied between A.D. 600–1050.

The territory of the Upland Mogollon stretched from south-central Arizona to south-central New Mexico. The Upland Mogollon territories are claimed, currently inhabited, or used by the Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico. Villages had pithouses or pueblo-style houses. Most archeological evidence linking Upland Mogollon to present-day tribes rely on ceramics, which suggest the early establishment of brownware producing groups. Based on material culture, architecture, and site organization each of the four sites (Jewett Gap, Mogollon Village, Geronimo Canyon and Starkweather ruin) have been identified as Upland Mogollon villages occupied between A.D. 500–1300. Present-day descendants of the Upland Mogollon are the Pueblo of Acoma, New Mexico; Hopi Tribe of Arizona; and Zuni Tribe of the Zuni Reservation. Oral traditions

presented by representatives of the Pueblo of Acoma, New Mexico; the Hopi Tribe of Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico support cultural affiliation.

The Department of Agriculture, Forest Service controls all cultural items removed from the Gila National Forest sites, and acknowledges that they are housed and in the physical custody of Arizona State Museum and Logan Museum of Anthropology, Beloit College.

Officials of the U.S. Department of Agriculture, Forest Service, Gila National Forest have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the 955 cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of an Native American individual. Officials of the U.S. Department of Agriculture, Forest Service, Gila National Forest also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects from the four Upland Mogollon sites and the Pueblo of Acoma, New Mexico; the Hopi Tribe of Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the unassociated funerary objects should contact Dr. Frank E. Wozniak, NAGPRA Coordinator, Southwestern Region, U.S. Department of Agriculture, Forest Service, 333 Broadway Boulevard, SE, Albuquerque, NM 87102, telephone (505) 842–3238, before July 1, 2005. Repatriation of the unassociated funerary objects to the Pueblo of Acoma, New Mexico; the Hopi Tribe of Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico may proceed after that date if no additional claimants come forward.

The U.S. Department of Agriculture, Forest Service, Gila National Forest is responsible for notifying the Pueblo of Acoma, New Mexico; the Hopi Tribe of Arizona; and the Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05–10805 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR**National Park Service****Notice of Inventory Completion:
American Museum of Natural History,
New York, NY****AGENCY:** National Park Service, Interior.**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the American Museum of Natural History, New York, NY. The human remains were removed from Big Horn County, MT.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by American Museum of Natural History professional staff in consultation with representatives of the Crow Tribe of Montana.

In 1928, human remains representing a minimum of one individual were removed by Dr. W.A. Russell from an unknown site in Big Horn Canyon, Big Horn County, MT. The human remains were found in association with a European feather bed, some old blankets, a feather fan, and part of a beaded shirtsleeve. The human remains, feather fan, and beaded shirtsleeve were acquired by the American Museum of Natural History in 1928. Prior to 1990, the American Museum of Natural History initiated consultation with the Crow Tribe of Montana regarding the return of the human remains and associated funerary objects. The American Museum of Natural History transferred control of the human remains and associated funerary objects to the Crow Tribe of Montana. A notice of inventory completion was not published at the time since, pursuant to 25 U.S.C. 3009 (2), the museum's actions were in response to a repatriation request pending on the date of enactment of NAGPRA. In completing the museum's NAGPRA inventory, one additional element from the human remains was discovered in storage. No known individual was identified. No associated funerary objects are present.

The skeletal morphology and burial practices indicate that the human remains are Native American. The previously returned associated funerary objects date to the post-contact period. The human remains were found within the post-contact territory of the Crow Tribe of Montana.

Officials of the American Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the American Museum of Natural History also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Crow Tribe of Montana.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Nell Murphy, Director of Cultural Resources, American Museum of Natural History, Central Park West at 79th Street, New York, NY 10024–5192, telephone (212) 769–5837, before July 1, 2005. Repatriation of the human remains to the Crow Tribe of Montana may begin after that date if no additional claimants come forward.

The American Museum of Natural History is responsible for notifying the Crow Tribe of Montana that this notice has been published.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05–10803 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR**National Park Service****Notice of Inventory Completion:
American Museum of Natural History,
New York, NY****AGENCY:** National Park Service, Interior.**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the American Museum of Natural History, New York, NY. The human remains were removed from the Pueblo of San Marcos, Santa Fe County, NM.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25

U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by American Museum of Natural History professional staff in consultation with representatives of the Pueblo of Cochiti, New Mexico; Pueblo of Laguna, New Mexico; and Pueblo of Santo Domingo, New Mexico.

In 1915, human remains representing a minimum of five individuals were collected from Pueblo San Marcos, 3–3.5 miles northeast of Cerrillos, on the northern bank of San Marcos Canyon, in the Galisteo Basin, Santa Fe County, NM, by Nels C. Nelson on behalf of the American Museum of Natural History. No known individuals were identified. No associated funerary objects are present.

The individuals have been identified as Native American based on historic information that suggests that the inhabitants of San Marcos migrated to Cochiti, Laguna, and Santo Domingo Pueblos. San Marcos Pueblo was occupied until 1680. One group of San Marcos villagers, along with Tano from the Galisteo Basin, occupied Santa Fe following the Pueblo Revolt of 1680. In 1706, Vargas resettled villagers from Galisteo Pueblo, San Marcos, and Cienega Pueblo in the previously abandoned Galisteo Pueblo. In 1793 epidemics and hostile attacks forced the survivors of this resettlement to move to Santo Domingo Pueblo. By about 1682 another group that originated from San Marcos joined with the Cochiti and San Felipe peoples at La Cieneguilla, a mesa-top refuge site. Some migrants from San Marcos who took refuge at La Cieneguilla migrated to Laguna and others appear to have moved with the Cochiti migrants to present-day Cochiti Pueblo.

Officials of the American Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of five individuals of Native American ancestry. Officials of the American Museum of Natural History also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Pueblo of Cochiti, New Mexico; Pueblo of Laguna, New Mexico; and Pueblo of Santo Domingo, New Mexico.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Nell Murphy, Director of Cultural Resources, American Museum of Natural History, Central Park West at 79th Street, New York, NY 10024-5192, telephone (212) 769-5837, before July 1, 2005. Repatriation of the human remains to the Pueblo of Cochiti, New Mexico; Pueblo of Laguna, New Mexico; and Pueblo of Santo Domingo, New Mexico may proceed after that date if no additional claimants come forward.

The American Museum of Natural History is responsible for notifying the Pueblo of Cochiti, New Mexico; Pueblo of Laguna, New Mexico; and Pueblo of Santo Domingo, New Mexico that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10811 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: American Museum of Natural History, New York, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the American Museum of Natural History, New York, NY. The human remains were removed from the Hopi Indian Reservation, Navajo County, AZ.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by American Museum of Natural History professional staff in consultation with representatives of the Hopi Tribe of Arizona.

In 1900, human remains representing a minimum of three individuals were collected by Dr. Ales Hrdlicka from the base of Second Mesa, Hopi Indian

Reservation, Navajo County, AZ. Dr. Hrdlicka gifted the human remains to the American Museum of Natural History that same year. The human remains were cataloged as Moki, a dated term for Hopi. The original burial site is located on the Hopi Indian Reservation. No known individuals were identified. No associated funerary objects are present.

The individuals have been identified as Native American based on mode of burial and a catalog label of Moki, a dated term for the Hopi. The provenience of the remains at the base of Second Mesa suggests an association with one of the (primarily) historic towns situated at the top of Second Mesa. Burial within rocks at the mesa margin is consistent with the post-contact Hopi practice of disposing of epidemic victims.

Although the lands from which the human remains were collected are currently under the jurisdiction of the U.S. Department of the Interior, Bureau of Indian Affairs, the American Museum of Natural History has control of the human remains since their removal from tribal land predates the permit requirements established by the Antiquities Act of 1906.

Officials of the American Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of three individuals of Native American ancestry. Officials of the American Museum of Natural History also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Hopi Tribe of Arizona.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Nell Murphy, Director of Cultural Resources, American Museum of Natural History, Central Park West at 79th Street, New York, NY 10024-5192, telephone (212) 769-5837, before July 1, 2005. Repatriation of the human remains to the Hopi Tribe of Arizona may proceed after that date if no additional claimants come forward.

The American Museum of Natural History is responsible for notifying the Hopi Tribe of Arizona that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10818 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: American Museum of Natural History, New York, NY

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the American Museum of Natural History, New York, NY. The human remains were removed from Montana.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by American Museum of Natural History professional staff in consultation with representatives of the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

According to Museum records, at an unknown date, the naturalist Audubon, upon his return from the Rocky Mountains in Montana, gave human remains representing a minimum of two individuals to Dr. A. V. Williams. Dr. Williams subsequently gifted the remains to the American Museum of Natural History in 1900. No known individuals were identified. No associated funerary objects are present.

The individuals have been identified as Native American based on a catalog description of "Blackfeet Indians." The geographic origin of the remains is consistent with the post-contact territory of the Blackfeet Nation.

Officials of the American Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of two individuals of Native American ancestry. Officials of the American Museum of Natural History also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Nell Murphy, Director of Cultural Resources, American Museum of Natural History, Central Park West at 79th Street, New York, NY 10024-5192, telephone (212) 769-5837, before July 1, 2005. Repatriation of the human remains to the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana may proceed after that date if no additional claimants come forward.

The American Museum of Natural History is responsible for notifying Blackfeet Tribe of the Blackfeet Indian Reservation of Montana that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10819 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate a Cultural Item: Berkshire Museum, Pittsfield, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate a cultural item in the possession of the Berkshire Museum, Pittsfield, MA, that meets the definition of "sacred object" and "cultural patrimony" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural items. The National Park Service is not responsible for the determinations in this notice.

The cultural item is a clay pipe bowl. The 4-inch x 1.25-inch pipe bowl is a brown-gray ceramic cylindrical tube with a tapered end and bent at a 120 degree angle 1 inch from the flared end; both ends of the pipe are chipped, revealing dark gray ceramic material with flecks of white temper. It was excavated in 1863 from an unknown site in Pittsfield, Berkshire County, MA, by S.L. Werden and given to the Berkshire Museum on an unknown date. It was found in the collection in 1992. Tribal representatives identified the clay pipe

bowl as an instrument belonging to the Stockbridge-Munsee Band of Mohican Indians (now known as the Stockbridge-Munsee Community, Wisconsin). The bowl has been dated to the Late Woodland period (circa A.D. 1000-1580).

Representatives of the Stockbridge-Munsee Community, Wisconsin indicated during consultation that this cultural item is a specific ceremonial object needed for the continuation of traditions and rituals within the tribe. Throughout Mohican Indian history, pipe bowls of this type have been used to seal peace treaties between rival groups, as religious offerings to higher spirits, and as funerary gifts to the deceased.

Officials of the Berkshire Museum have determined that, pursuant to 25 U.S.C. 3001 (3)(C), the cultural item is a specific ceremonial object needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents, and that, pursuant to 25 U.S.C. 3001 (3)(D), the cultural item has ongoing historical, traditional or cultural importance central to the Native American group or culture itself, rather than property owned by an individual. Officials of the Berkshire Museum also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the sacred object/cultural patrimony and the Stockbridge-Munsee Community, Wisconsin.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the sacred object/cultural patrimony should contact Nezka Pfeifer, Collections Manager, Berkshire Museum, 39 South Street, Pittsfield, MA 01201, telephone (413) 443-7171, before July 1, 2005. Repatriation of the sacred object/cultural patrimony to the Stockbridge-Munsee Community, Wisconsin may proceed after that date if no additional claimants come forward.

The Berkshire Museum is responsible for notifying the Stockbridge-Munsee Community, Wisconsin that this notice has been published.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10806 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Native American Graves Protection and Repatriation Review Committee Findings and Recommendations Regarding a Dispute Between Hui Malama I Na Kupuna O Hawai'i Nei and the Bishop Museum

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: At a March 13-15, 2005, public meeting in Honolulu, HI, the Native American Graves Protection and Repatriation Review Committee (Review Committee) considered a dispute between Hui Malama I Na Kupuna O Hawai'i Nei and the Bishop Museum. The dispute focused on the disposition of carved sandstone blocks from the Island of Moloka'i known as Kalaina Wawae that are under the control of the Bishop Museum. The Review Committee recommended that the Bishop Museum and Hui Malama o Mo'omomi work together to revise expeditiously the current memorandum of agreement to require the consent of Hui Malama o Mo'omomi prior to the removal of the Kalaina Wawae from the Island of Molokai.

SUPPLEMENTARY INFORMATION: On April 9, 1999, the Bishop Museum published a Notice of Intent to Repatriate in the **Federal Register**. The notice identified three sandstone blocks containing carved footprints, also known as Kalaina Wawae, as objects of cultural patrimony culturally affiliated with Hui Malama I Na Kupuna O Hawai'i Nei.

On March 4, 2003, the Bishop Museum and Hui Malama O Mo'omomi signed a memorandum of agreement to place the Kalaina Wawae at Mo'omomi, Island of Moloka'i. Hand written at the bottom of the memorandum of agreement is the following: "Signed under protest because Hui Malama I Na Kupuna O Hawai'i Nei was removed from this agreement without explanation by Bishop Museum to any of the parties. This act demonstrates a lack of respect on the part of the museum." The Kalaina Wawae were moved to Mo'omomi on the Island of Moloka'i.

On November 3, 2003, the Bishop Museum published a correction in the **Federal Register** rescinding the April 9, 1999, notice. The correction states that the Bishop Museum does not intend to repatriate the Kalaina Wawae to the Native Hawaiian organizations that previously presented claims.

On November 29, 2004, Hui Malama I Na Kupuna O Hawai'i Nei requested

the assistance of the Review Committee in resolving its dispute with the Bishop Museum as to whether repatriation of the Kalaina Wawae to Hui Malama I Na Kupuna O Hawai'i Nei was complete when no competing claims were filed following publication of the April 9, 1999, **Federal Register** notice.

On December 17, 2004, the Review Committee's designated Federal officer acknowledged receipt of the November 29, 2004, request and identified questions as to whether the Kalaina Wawae are objects of cultural patrimony as an issue of fact with which the Review Committee might wish to assist in resolving. The request for a recommendation regarding the finality of repatriation, which is likely dependent on provisions of state law and other legal authorities, was identified as being beyond the Review Committee's purview.

On February 2, 2005, the Bishop Museum provided information to the Review Committee relevant to the dispute, including a declaration that the museum does not consider the Kalaina Wawae to be objects of cultural patrimony.

On February 21, 2005, the Review Committee's designated Federal officer notified Hui Malama I Na Kupuna O Hawai'i Nei and the Bishop Museum that the Review Committee had agreed to assist in the resolution of the dispute at its next meeting.

On March 1, 2005, the Review Committee's designated Federal officer invited a representative of Hui Malama O Mo'omomi to provide information to the Review Committee.

Findings and Recommendations: On March 13–15, 2005, the Review Committee considered the dispute as presented by representatives of Hui Malama I Na Kupuna O Hawai'i Nei, Bishop Museum, and Hui Malama o Mo'omomi and made the following findings:

1. There is disagreement regarding whether the Kalaina Wawae are objects of cultural patrimony.

2. The Review Committee has chosen not to come to a finding as to whether the Kalaina Wawae are objects of cultural patrimony at this time.

3. The Review Committee recognizes the cultural significance of the Kalaina Wawae to the people of the Island of Molokai.

4. The Review Committee believes that the current location of the Kalaina Wawae is appropriate.

The Review Committee recommends that the Bishop Museum and Hui Malama o Mo'omomi work together to revise expeditiously the current memorandum of agreement to require

the consent of Hui Malama o Mo'omomi prior to the removal of the Kalaina Wawae from the Island of Molokai.

The National Park Service publishes this notice as part of its administrative and staff support for the Review Committee. The findings and recommendations are those of the Review Committee and do not necessarily represent the views of the Secretary of the Interior. Neither the Secretary of the Interior nor the National Park Service has taken a position on these matters.

Dated: May 20, 2005.

Rosita Worl,

Chair, Native American Graves Protection and Repatriation Review Committee.

[FR Doc. 05–10809 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Native American Graves Protection and Repatriation Review Committee Findings and Recommendations Regarding a Dispute Between Hui Malama I Na Kupuna O Hawai'i Nei and the Bishop Museum

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: At a March 13–15, 2005, public meeting in Honolulu, HI, the Native American Graves Protection and Repatriation Review Committee (Review Committee) considered a dispute between Hui Malama I Na Kupuna O Hawai'i Nei and the Bishop Museum. The dispute focused on whether three items from the Island of Molokai in the possession of the Bishop Museum are subject to repatriation under provisions of the Native American Graves Protection and Repatriation Act. The Review Committee recommended that the Bishop Museum proceed toward repatriation of the three objects to the appropriate claimants.

SUPPLEMENTARY INFORMATION: On May 2, 2003, the Bishop Museum published a Notice of Intent to Repatriate in the **Federal Register**. The notice identified a small wooden image carved into human form and a cowrie shell as unassociated funerary objects culturally affiliated with the Molokai Burial Council, Hui Malama I Na Kupuna O Hawai'i Nei, and the Office of Hawaiian Affairs.

On August 29, 2003, Hui Malama I Na Kupuna O Hawai'i Nei filed a claim with the Bishop Museum to repatriate

the small wooden image and cowrie shell.

On October 21, 2003, Hui Malama I Na Kupuna O Hawai'i Nei asked the Bishop Museum to explain why a rock oyster shell pendant that had also been previously listed as an unassociated funerary object on the museum's Molokai inventory had not been included in the May 2, 2003 notice.

On November 8, 2004, Hui Malama I Na Kupuna O Hawai'i Nei requested the assistance of the Review Committee in resolving its dispute with the Bishop Museum. The request also included an allegation that the Bishop Museum failed to comply with the repatriation provisions of the Act.

On December 17, 2004, the Review Committee's designated Federal officer acknowledged receipt of the November 8, 2004, request and identified questions as to whether the rock oyster shell pendant was an unassociated funerary object or whether the museum had right of possession to the three items as issues of fact with which the Review Committee might wish to assist in resolving. The same day, the allegation of failure to comply was referred to the Director, National Park Service for investigation.

On February 2, 2005, the Bishop Museum notified the Review Committee that the museum intended to publish a Notice of Intent to Repatriate identifying the rock oyster pendant as an unassociated funerary object. The museum also notified the Review Committee that it did not intend to assert right of possession to either the cowrie shell or the rock oyster pendant. The museum did assert a right of possession to the carved wooden figure.

On February 18, 2005, the Review Committee's designated Federal officer notified Hui Malama I Na Kupuna O Hawai'i Nei and the Bishop Museum that the Review Committee had agreed to assist in the resolution of the dispute at its next meeting.

On March 1, 2005, the Review Committee's designated Federal officer sent letters to two claimants inviting them to provide information to the Review Committee: Royal Hawaiian Academy of Traditional Arts and Na Lei Ali'i Kawanakoa.

FINDINGS AND RECOMMENDATIONS:

On March 13–15, 2005, the Review Committee considered the dispute as presented by representatives of Hui Malama I Na Kupuna O Hawai'i Nei, Bishop Museum, Office of Hawaiian Affairs, Royal Hawaiian Academy of Traditional Arts, and Na Lei Ali'i Kawanakoa and made the following findings:

1. The identification of the carved wooden image, cowrie shell, and rock oyster pendant as unassociated funerary objects is not in dispute.

2. The Bishop Museum has asserted it has right of possession to the carved wooden figure.

3. A claim of right of possession to an unassociated funerary object requires a museum or Federal agency to provide evidence that the unassociated funerary object was acquired with the voluntary consent of an individual, Indian tribe, or Native Hawaiian organization with authority to alienate the cultural item [25 U.S.C. 3001 (13)].

4. Hui Malama I Na Kupuna O Hawai'i Nei presented evidence to support a finding that the Bishop Museum does not have right of possession to the carved wooden figure.

5. The Bishop Museum failed to overcome the inference that it does not have right of possession to the carved wooden figure.

6. There are multiple claims for the three cultural items.

7. A museum or Federal agency must repatriate cultural items within 90 days of receipt of a written request for repatriation that satisfies the requirements of 43 CFR 10.10 (a)(1), except where the exemptions of 43 CFR 10.10 (a)(3) and 10.10 (c) apply. However, there is nothing in the statute or regulations that state that the repatriation is automatic at the end of the 90 days.

The Review Committee recommends that:

1. The Bishop Museum proceed toward repatriation by continuing its process of consultation to determine the appropriate claimant(s) for the three unassociated funerary objects; and

2. When repatriation takes place, the transaction is documented in a fashion consistent with Hawaiian state law.

The National Park Service publishes this notice as part of its administrative and staff support for the Review Committee. The findings and recommendations are those of the Review Committee and do not necessarily represent the views of the Secretary of the Interior. Neither the Secretary of the Interior nor the National Park Service has taken a position on these matters.

Date: May 20, 2005

Rosita Worl,
Chair,

Native American Graves Protection and Repatriation Review Committee.
[FR Doc. 05-10816 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: California Department of Parks and Recreation, Sacramento, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession and control of the California Department of Parks and Recreation, Sacramento, CA. The human remains and associated funerary objects were removed from Kern, Kings, and Tulare Counties, CA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by California Department of Parks and Recreation's professional staff in consultation with representatives of the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California.

At an unknown date, highly fragmented human remains representing a minimum of three individuals were removed from an unknown locality (most likely close to CA-KIN-32, also known as the Witt site) on the southwest shore of former Tulare Lake, 12 miles southeast of Kettleman City, Kings County, CA. The remains were collected by Leonard "Red" Van Den Enden, a private citizen, of Corcoran, CA. After Mr. Van Den Enden's death, his heirs donated the human remains to the California Department of Parks and Recreation in 1982. No known individuals were identified. No associated funerary objects are present.

While the human remains have no exact provenance, two human cranial fragments date to 15,696 years B.P. (+/-370 years) and 11,379 B.P. (+/-71 years). This is consistent with dates

generated from CA-KIN-32/Witt site. The California Department of Parks and Recreation Committee on Repatriation determined that site CA-KIN-32 cannot be clearly identified as Southern Valley Yokuts due to its antiquity. However, it determined that the prehistoric occupation of the same site by direct ancestors of the historic Southern Valley Yokuts (Tachi, Wowol, and Chunut Yokuts Tribes) was sufficient to culturally affiliate this site with the groups that are the present-day descendants of the Southern Valley Yokuts. Present-day descendants of the Southern Valley Yokuts are the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California.

In 1927 and 1928, human remains representing a minimum of 14 individuals were removed from CA-TUL-16 (also known as the Broder Mound, Broder Place, Broeder Ranch, Broeder Area B, Old Broder, GWH 132, and J-90), 5 miles east of Visalia and 2 miles south of the Kaweah River, in Tulare County, CA. The remains and associated funerary items were collected by Frank F. Latta on weekends in the course of site leveling of the Broder Mound during agricultural activity. Mr. Latta donated the items to the California Department of Parks and Recreation on July 24, 1988. No known individuals were identified. The 89 funerary objects are 32 beads, 16 food remains, 11 soil samples, 6 ornaments, 5 flakes, 3 projectile points, 2 plant remains, 2 incised bones, 1 quartz crystal, 1 piece of ochre, 1 lithic, 1 piece of slag, 1 scraper, 1 fire stone, 1 hammerstone, 1 charcoal sample, 1 clay sherd, 1 metal knife, 1 button, and 1 ceramic sherd.

The ages of the burials are not directly known, but may be of considerable antiquity (4000-2000 B.C.). According to Mr. Latta's field notes, some of the burials came from a depth of 11 feet, indicating considerable age. Most of the associated funerary objects are consistent with an Early Period of occupation. While some associated funerary objects date to the historic Late Period, this can be explained by the salvage nature of the excavation. The California Department of Parks and Recreation Committee on Repatriation determined that site CA-TUL-16 cannot be clearly identified as Southern Valley Yokuts, due to its antiquity. However, oral history and tradition among the contemporary Yokuts tribes confirm that this site was and still is sacred to the

Yokuts. Its destruction is included in the oral history and even now ceremonies are held in the general area of what used to be Broder Mound. The California Department of Parks and Recreation Committee on Repatriation determined that the occupation of site CA-TUL-16 by direct ancestors of the historic Southern Valley Yokuts was sufficient to culturally affiliate this collection with the groups that are the present-day descendants of the Southern Valley Yokuts. Site CA-TUL-16 is within the historically documented geographic area used by the Wolase Yokuts.

Between 1927 and 1932, human remains representing a minimum of one individual were removed from an unknown location in northwestern Kern County, CA, by Frank F. Latta. Museum records identify the locality as "the gypsum at Lost Hills," west of Wasco, the I-5 highway, and Buena Vista Slough. Mr. Latta donated the human remains to the California Department of Parks and Recreation in 1988. No known individual was identified. No associated funerary objects are present.

The age of the burial is unknown. The general locality is within the historically documented geographic area used by the Southern Valley Yokuts (Tachi and Wowol Tribes). Both of these tribes are mentioned in Alfred Kroeber's *Handbook of the Indians of California* (1976). Mr. Latta's research and collection activity was in the historical geographic territory of the Yokuts. The "Lost Hills" location is shown on his map of the Southern Valley Yokuts territory in his book *The Handbook of Yokuts Indians* (1977).

Between 1927 and 1932, human remains representing a minimum of one individual were removed from an unknown location in Tulare County, CA, by Frank F. Latta. The site may be near the mouth of the Tule River where it discharged into former Tulare Lake, north of Blanco. Mr. Latta donated the human remains to the California Department of Parks and Recreation on July 24, 1988. No known individual was identified. No associated funerary objects are present.

The age of the burial is unknown. This site is within the historically documented geographic area used by the Southern Valley Yokuts (Choynok and Wolase Tribes). Both of these tribes are mentioned in Alfred Kroeber's *Handbook of the Indians in California* (1976). Mr. Latta's research and collection activity was in the historical geographic territory of the Yokuts.

Between 1927 and 1932, human remains representing a minimum of one individual were removed from an

unknown location in or near Alpaugh (formerly Atwell's Island and the Southern Valley Yokuts' village of Chawlowin), in Tulare County, CA, by Frank F. Latta. Mr. Latta donated the human remains to the California Department of Parks and Recreation in 1988. No known individual was identified. No associated funerary objects are present.

The age of the burial is unknown. This site is within the historically documented geographic area used by the Southern Valley Yokuts (Wolwol and Chunut Tribes). Oral histories among the present-day Yokuts of the Santa Rosa Indian Community of the Santa Rosa Rancheria attest to the fact that Alpaugh/Atwell's Island was a Yokuts' village called Chawlowin. Oral history also confirms that the site has been well known to pillagers, collectors and archeologists over the years. A representative for the Santa Rosa Indian Community of the Santa Rosa Rancheria claims that many private collections in the Lemoore area (location of the Santa Rosa Rancheria) were taken from Alpaugh.

In 1928, human remains representing a minimum of 10 individuals were removed from an unknown location along Grizzly Gulch, a tributary of the White River, on the Vincent Ranch, 20 miles east of Delano, Kern County, CA, by Frank F. Latta. Mr. Latta donated the human remains to the California Department of Parks and Recreation in 1988. No known individuals were identified. The 2,873 funerary objects are 1,903 beads, 291 flakes, 275 food remains, 116 ornaments, 61 quartz crystals, 47 projectile points, 36 rocks, 33 scrapers, 19 pieces of baked clay, 15 bifaces, 12 pieces of ochre/pigment samples, 9 pieces of asphaltum, 7 ceramic sherds, 6 soil samples, 6 plant samples, 4 charcoal samples, 4 blades, 2 drills, 2 bark strippers, 1 piece of ammunition, 1 hammerstone, 1 chopper, 1 core, 1 gaming stone, and 20 unknown items.

Based on the presence of historic items among the associated funerary objects, this site has been dated to the Late Period (A.D. 500–1900). Non-burial pottery sherds, which are a Late Period Yokuts phenomena, also date this site to Late Period Yokuts occupation. The associated funerary objects are consistent with burial practices of the Southern Valley Yokuts. This site is within the historically documented geographic area used by the Southern Valley Yokuts (the Yawelamani, Palewyami, and Kumaches Tribes) and the Bankalachi people. The Bankalachi were an off shoot of the Shoshonean-speaking Tubatulabal Tribe that lived

among the Penutian-speaking Yokuts. There are no known living descendants of the Tubatulabal or Bankalachi.

On June 10, 1928, human remains representing a minimum of one individual were removed from an unknown location along Deer Creek, Tulare County, CA, by Frank F. Latta. Mr. Latta donated the human remains to the California Department of Parks and Recreation on July 24, 1988. No known individual was identified. The 41 associated funerary objects are 19 steatite beads, 7 basket fragments, 4 haliotis ornaments, 3 obsidian projectile points, 2 olivella beads, 2 pieces of shell, 2 tivella beads, 1 obsidian flake, and 1 glass bead.

Based on the presence of historic items among the associated funerary objects, this site has been dated to the Late Period (A.D. 500–1900). The projectile points are variants of the Cottonwood Triangular and also the Desert Side Notched; these are both consistent with the Late Period of Yokuts occupation. The associated funerary objects are consistent with burial practices of the Southern Valley Yokuts or Foothill Yokuts. Tulare County is within the historically documented geographic areas used by the Southern Valley and Foothill Yokuts (Bokinuwad (Hoeynche), Yawdanchi or Koyeti Tribes). All of these villages or triblets are mentioned in Alfred Kroeber's *Handbook of the Indians of California* (1976).

In 1928, human remains representing a minimum of one individual were removed from an unknown location at Wilson Flats, Tule River in Tulare County, CA, by Frank F. Latta. Mr. Latta donated the human remains to the California Department of Parks and Recreation on July 24, 1988. No known individual was identified. No funerary objects are present.

Non-funerary items associated with the remains are indicative of Late Period (A.D. 500–1900) occupation. This site is within the historically documented geographic area used by the Central Foothill Yokuts (Yawdanchi Tribe).

In 1928, highly fragmented human remains representing a minimum of six individuals were removed from the Weukeena site (also known as Sweet Weukena, Waukena, Sweet Mound, Sweet Slaughterhouse Mound, and Buzzard's Roost), in Tulare County, CA, by Frank F. Latta. The precise location of the site is unknown; museum records indicate that it is situated on or near the northeast shore of former Tulare Lake, 4 miles south of Waukena and 10 miles southwest of Tulare, along State Highway 137. Mr. Latta donated the human remains to the California

Department of Parks and Recreation on July 24, 1988. No known individuals were identified. The 112 associated funerary objects are 30 beads, 22 projectile points, 21 ornaments, 10 food remains, 6 flakes, 4 scrapers, 3 plant samples, 2 lithics, 2 clay sherds, 2 soil samples, 1 piece of ochre, 1 metal button, 1 shale blade, 1 gaming stone, 1 steatite bowl, 1 ceramic sherd, 1 drill, and 3 unknown items.

Based on the presence of historical and diagnostic items, the remains have been dated to a Late Period (A.D. 500–1900) occupation. This site is within the historically documented geographic area used by the Southern Valley Yokuts (Chunut Tribe). The associated funerary objects are consistent with the burial practices of the Southern Valley Yokuts.

In 1928, human remains representing a minimum of one individual were removed from an unknown location on the Old Vincent Ranch at Woodeville in Tulare County, CA, by Frank F. Latta. Mr. Latta donated the human remains to the California Department of Parks and Recreation on July 24, 1988. No known individual was identified. No funerary objects are present.

The age of the human remains is unknown. Mr. Latta's research and collection activity was in the historical geographic territory of the Yokuts and this site is within the historically documented geographic area used by the Southern Valley Yokuts (Koyeti Tribe).

In 1932, human remains representing a minimum of three individuals were removed from site CA-KER-152 (also known as the Alamo Solo site and Sunflower #4), in Kern County, CA, by Frank F. Latta. The human remains were removed from near Dagany Gap east of Sunflower Valley, 16 miles south of Avenal, northwestern Kern County. In 1988, Mr. Latta donated the human remains to the California Department of Parks and Recreation. No known individuals were identified. The 116 associated funerary objects are 21 projectile points, 20 scrapers, 12 beads, 10 bifaces, 7 flakes, 4 blades, 4 soil samples, 4 food remains, 3 plant samples, 2 ornaments, 2 pieces of fabric, 2 haliotis ornaments, 2 ammunition remains, 2 choppers, 2 drills, 2 bark scrapers, 1 charmstone, 1 asphaltum, 1 cobble, 1 steatite bowl, 1 weaving shuttle, 1 ceramic sherd, 1 quartz crystal, 1 nail, 1 charcoal sample, 1 piece of slag, 1 willow stripper, 1 awl, 1 bone tool, 1 lithic, 1 piece of baked clay, and 2 unidentified items.

Based on the presence of historic items among the associated funerary objects, CA-KER-152 has been dated to the Late Period (A.D. 500–1900).

Diagnostic analysis of beads and projectile points, as well as the style and nature of the associated funerary objects are consistent with burial practices of the Southern Valley Yokuts (Tachi Tribe). Site CA-KER-152 is within the historically documented geographic area used by the Tachi Yokuts who are anthropologically considered part of the Southern Valley Yokuts.

In 1964 and 1965, human remains representing a minimum of 78 individuals were removed from site CA-KER-116 (also known as Buena Vista Lake site, KER-39, KER-39A, KER-43, and KER-60), in southwestern Kern County, CA. The human remains were removed from the southwest shoreline of the former Buena Vista Lake, along the California Aqueduct, where Buena Vista Valley meets Buena Vista Hills. The site was excavated in 1964 by Sonoma State University under the direction of David A. Fredrickson and in 1965 under the direction of J.M. Grossman and John Waller of San Jose State College, under a contract with the Division of Beaches and Parks, which is now the California Department of Parks and Recreation. The Department of Water Resources provided funding for the excavations prior to the construction of the California Aqueduct. The bulk of the collection was processed at Sonoma State University until it was transferred to California Department of Parks and Recreation on April 3, 2003. No known individuals were identified. The 2,840 associated funerary objects are 1,016 flakes or lithics, 909 food remains, 177 beads, 147 flake stone tools, 137 projectile points, 122 fire rocks, 100 unidentified items, 63 ground stone implements, 49 stone blades, 35 botanical samples, 35 asphaltum pieces, 20 bone tools, 18 ornaments, 10 pigment samples, 1 basket, and 1 whistle.

Components from the burials in the possession of California Department of Parks and Recreation from CA-KER-116 date to the Early Horizon/Early Period (4000–2000 B.C.). Due to the antiquity of the site, the California Department of Parks and Recreation Committee on Repatriation determined that site CA-KER-116 could not be clearly identified as Southern Valley Yokuts. This site is within the historically documented geographic area used by the Southern Valley Yokuts (Tulumne Tribe). However, the committee determined that the continuous occupation of site CA-KER-116 by direct ancestors of the historic Southern Valley Yokuts was sufficient to culturally affiliate with present-day descendants of the Southern Valley Yokuts.

At an unknown time but most likely in 1964, human remains representing a

minimum of one individual were removed from the Pelican Island site in Kern County, CA. The person who collected the items was not documented. The island was located in the former Buena Vista Lake, Kern County, CA. No known individual was identified. No funerary objects are present.

The age of the burial is unknown. Notes indicate that the items were surface collected. The Pelican Island site is within the historically documented geographic area used by the Southern Valley Yokuts (Tulumne Tribe).

At an unknown date but probably after 1965, human remains representing a minimum of one individual were removed from either the Kern Pumping plant or the Buena Vista Pumping Plant in Kern County, CA. The person who collected the items was not documented. No known individual was identified. The one associated funerary object is a soil sample.

The age of the human remains is unknown. Because the site's location is only generally known, the California Department of Parks and Recreation Committee on Repatriation has determined that the human remains and associated funerary objects were not clearly identifiable as Southern Valley Yokuts, but are most likely to be identified as Southern Valley Yokuts (Tulumne Tribe).

All of the sites described above lie within Yokuts' territory. Archeologists believe that the Penutian-speaking Yokuts are descended from the Windmill people who occupied the Central Valley and Sierra Nevada foothills of California from 4,000 to 3,000 years ago. The Yokuts territory was the largest territory of prehistoric tribes in California and included almost the entire Central Valley, bounded on the north by where the San Joaquin River empties into the Sacramento River, and on the south by the foothills of the Tehachepi Mountains. The Yokuts comprised over 200 villages or communities, each with its own subsistence strategy and distinct dialect group. The Yokuts are anthropologically represented today by three living areas: the Northern Valley Yokuts, Southern Valley Yokuts, and Foothill Yokuts. Archeological, ethnographical, historical, and oral historical evidence link the Southern Valley Yokuts and Foothill Yokuts to the present-day federally recognized Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain

Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California.

Officials of the California Department of Parks and Recreation have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of a minimum of 122 individuals of Native American ancestry. Officials of the California Department of Parks and Recreation also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the 6,072 objects listed above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of California Department of Parks and Recreation have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Paulette Hennum, NAGPRA Coordinator, California State Parks, Cultural Resources Division, 1416 9th Street, Room 902, Sacramento, CA 95814, telephone (916) 653–7976, before July 1, 2005. Repatriation of the human remains and associated funerary objects to the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California may proceed after that date if no additional claimants come forward.

The California Department of Parks and Recreation is responsible for notifying the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks

[FR Doc. 05–10796 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: California Department of Parks and Recreation, Sacramento, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items in the possession of the California Department of Parks and Recreation, Sacramento, CA, that meet the definition of “unassociated funerary objects” under 25 U.S.C. 3001.

This notice is published as part of the National Park Service’s administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural items. The National Park Service is not responsible for the determinations in this notice.

The cultural items are two steatite beads collected by Frank F. Latta some time between 1927 and 1932. Notes from Mr. Latta indicate that the beads were burial related and came from either the Leaning Rock Burial or Bear Creek Burial. Neither of the sites has been identified. Mr. Latta donated the beads to the California Department of Parks and Recreation on July 24, 1988.

The two beads are consistent with the types used by the Northern and Southern Valley Yokuts. Mr. Latta collected extensively in the historic territory of the Yokuts. Considering the totality of the circumstances, it is likely that this collection is Yokuts.

A detailed assessment of the cultural items was made by the California Department of Parks and Recreation Committee on Repatriation in consultation with representatives of the Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe) and the Tule River Indian Tribe of the Tule River Reservation, California. Because there is no historical affiliation for this collection beyond its general Yokuts attribution, the California Department of Parks and Recreation considers the

beads to be culturally affiliated with all federally recognized present-day Yokuts tribes.

Officials of the California Department of Parks and Recreation have determined that, pursuant to 25 U.S.C. 3001 (3)(B), the cultural items described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and are believed, by a preponderance of the evidence, to have been removed from a specific burial site of an Native American individual. Officials of the California Department of Parks and Recreation also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the unassociated funerary objects and the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the two steatite beads should contact Paulette Hennum, NAGPRA Coordinator, California Department of Parks and Recreation, 1416 Ninth Street, Sacramento, CA 95814, telephone (916) 653–7976 before July 1, 2005. Repatriation of the two steatite beads to the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California may proceed after that date if no additional claimants come forward.

The California Department of Parks and Recreation is responsible for notifying the Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Table Mountain Rancheria of California; and Tule River Indian Tribe of the Tule River Reservation, California that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05–10798 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR**National Park Service****Notice of Inventory Completion:
California State University, Long
Beach, Long Beach, CA****AGENCY:** National Park Service.**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession of California State University, Long Beach, Long Beach, CA. The human remains and associated funerary objects were removed from site 4-SJo-17, San Joaquin County, CA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by California State University, Long Beach professional staff in consultation with representatives of the Buena Vista Rancheria of Me-wuk Indians of California; California Valley Miwok Tribe, California; Chicken Ranch Rancheria of Me-Wuk Indians of California; Ione Band of Miwok Indians of California; Jackson Rancheria of Me-Wuk Indians of California; Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California.

In 1967, human remains representing 240 individuals were removed during a salvage excavation project at 4-SJo-17 on private property in San Joaquin County, CA. Faculty and students from what was then Long Beach State College (now California State University, Long Beach) and local volunteers conducted the excavations. No known individuals were identified. The 1,876 associated funerary objects are 398 chipped stone

tools and fragments, 66 ground or polished stone tools and fragments, 744 fragments of non-human bone, 640 shell beads, and 28 pieces of ceramics or fired clay.

Based on burial patterns and artifact types, the human remains and associated funerary objects are dated to the Middle Horizon (2,500–2,000 B.P.). The establishment of a cultural chronology of the 4-SJo-17 collection relied upon the California Prehistoric Cultural Chronology and Artifact Classification System used by most regional archeologists. Multiple lines of evidence were used to determine the antiquity of this collection. Geographic, linguistic, archeological, and ethnographic evidence, as well as oral historical evidence presented at consultation, were used to determine cultural affiliation to the Eastern Miwok and Central Valley Yokuts peoples. The Eastern Miwok and Yokuts cultures of the Late Horizon (from 1,500 years ago to the European contact) are believed to have descended from the Middle Horizon cultures represented at this site, which lies on the border of the traditional territory of the Eastern Miwok and the Northern Valley Yokuts.

Officials of California State University, Long Beach, in consultation with the University's Committee on Native American Burial Remains and Cultural Patrimony, have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent a minimum of 240 individuals of Native American ancestry. Officials of California State University, Long Beach, in consultation with the Committee on Native American Burial Remains and Cultural Patrimony, also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the 1,876 objects described above are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of California State University, Long Beach, in consultation with the University's Committee on Native American Burial Remains and Cultural Patrimony, have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary objects and the Buena Vista Rancheria of Me-wuk Indians of California; California Valley Miwok Tribe, California; Chicken Ranch Rancheria of Me-Wuk Indians of California; Ione Band of Miwok Indians of California; Jackson Rancheria of Me-Wuk Indians of California; Picayune Rancheria of the Chukchansi Indians of

California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe); Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Keith Ian Polakoff, Associate Vice President for Academic Affairs, California State University, Long Beach, Long Beach, California, 90840-0118; telephone: (562) 985-4128, before July 1, 2005. The Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe) has submitted a written claim to the California State University, Long Beach for repatriation of these cultural items. Repatriation of the human remains and associated funerary objects to the Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as the Tachi Yokut Tribe), may proceed after that date if no additional claimants come forward.

California State University, Long Beach is responsible for notifying the Buena Vista Rancheria of Me-wuk Indians of California; California Valley Miwok Tribe, California; Chicken Ranch Rancheria of Me-Wuk Indians of California; Ione Band of Miwok Indians of California; Jackson Rancheria of Me-Wuk Indians of California; Picayune Rancheria of the Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California (also known as Tachi Yokut Tribe, California); Shingle Springs Band of Miwok Indians, Shingle Springs Rancheria (Verona Tract), California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,*Deputy Assistant Secretary, Fish and Wildlife and Parks.*

[FR Doc. 05-10815 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR**National Park Service****Notice of Inventory Completion: Field Museum of Natural History, Chicago, IL****AGENCY:** National Park Service, Interior.**ACTION:** Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Field Museum of Natural History, Chicago, IL. The human remains were removed from a site along the Fox River in Illinois.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Field Museum of Natural History professional staff in consultation with representatives of the Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; Huron Potawatomi, Inc., Michigan; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Prairie Band of Potawatomi Nation, Kansas.

In 1933, human remains representing a minimum of one individual were removed from a site along the Fox River in Illinois by C.N. Ackerman. In November of the same year, Mr. Ackerman donated the human remains to the Field Museum of Natural History. No known individual was identified. No associated funerary objects are present.

The human remains have been identified as Native American based on the specific cultural and geographic attribution in Field Museum of Natural History records. The records identify the human remains as "female middle age" from an "Old Potowotamie Graveyard, Fox River Ills. Burials in this place prior to 1837." Scholarly publications and consultation information indicate that the Fox River in Illinois is considered to be within the postcontact territory of the Potawatomi Indians. Potawatomi Indian descendants are represented by the present day Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville

Indian Community, Michigan; Huron Potawatomi, Inc., Michigan; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Prairie Band of Potawatomi Nation, Kansas.

Officials of the Field Museum of Natural History have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Field Museum of Natural History also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; Huron Potawatomi, Inc., Michigan; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Prairie Band of Potawatomi Nation, Kansas.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Helen Robbins, Repatriation Specialist, Field Museum of Natural History, 1400 South Lake Shore Drive, Chicago, IL 60605–2496, telephone (312) 665–7317, before July 1, 2005. Repatriation of the human remains to the Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; Huron Potawatomi, Inc., Michigan; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Prairie Band of Potawatomi Nation, Kansas may proceed after that date if no additional claimants come forward.

The Field Museum of Natural History is responsible for notifying the Citizen Potawatomi Nation, Oklahoma; Forest County Potawatomi Community, Wisconsin; Hannahville Indian Community, Michigan; Huron Potawatomi, Inc., Michigan; Match-e-be-nash-she-wish Band of Pottawatomi Indians of Michigan; Pokagon Band of Potawatomi Indians, Michigan and Indiana; and Prairie Band of Potawatomi Nation, Kansas that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,*Deputy Assistant Secretary, Fish and Wildlife and Parks.*

[FR Doc. 05–10814 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR**National Park Service****Native American Graves Protection and Repatriation Review Committee Findings and Recommendations Regarding a Dispute Between Hui Malama I Na Kupuna O Hawai'i Nei and Hawaii Volcanoes National Park****AGENCY:** National Park Service, Interior.**ACTION:** Notice.

SUMMARY: At a March 13–15, 2005, public meeting in Honolulu, HI, the Native American Graves Protection and Repatriation Review Committee (Review Committee) considered a dispute between Hui Malama I Na Kupuna O Hawai'i Nei and Hawaii Volcanoes National Park. The dispute focused on whether five items in the possession of the park are subject to repatriation under provisions of the Native American Graves Protection and Repatriation Act. The Review Committee recommended that the park initiate aggressive consultation with all claimants and other interested parties and complete the repatriation process by the end of 2005.

SUPPLEMENTARY INFORMATION: On October 20, 1993, the National Park Service completed a Servicewide summary of collections that may include unassociated funerary objects, sacred objects, and objects of cultural patrimony. Listed under Hawaii Volcanoes National Park were five items attributed to Forbes Cave, Kawaihae, HI, including one wood statue, one konane board, one bone tool, one gourd vessel, and one bone button.

On June 28, 1996, Hawaii Volcanoes National Park completed its inventory of Native American human remains and associated funerary objects. The park's inventory included one cutting tool made of human clavicle with a shark's tooth said to have been collected from Forbes Cave, Kawaihae, HI.

On November 19, 1999, Hui Malama I Na Kupuna O Hawai'i Nei filed a claim to repatriate all items removed from Forbes Cave in the possession of Hawaii Volcanoes National Park.

On November 23, 2004, Hui Malama I Na Kupuna O Hawai'i Nei requested the assistance of the Review Committee in resolving its dispute with Hawaii

Volcanoes National Park. The request also includes an allegation that the park failed to comply with the repatriation provisions of the Act.

On January 24, 2005, the Review Committee's designated Federal officer acknowledged receipt of the November 23, 2004, request and identified questions as to whether five objects from Forbes Cave are funerary objects culturally affiliated with one or more Native Hawaiian organizations as issues of fact with which the Review Committee might wish to assist in resolving. The allegation of failure to comply was referred to the Washington Office of the National Park Service for administrative review.

On February 18, 2005, the Review Committee's designated Federal officer notified Hui Malama I Na Kupuna O Hawai'i Nei and Hawaii Volcanoes National Park that the Review Committee had agreed to assist in the resolution of the dispute at its next meeting.

On March 1, 2005, the Review Committee's designated Federal officer sent letters to 18 claimants inviting them to provide information to the Review Committee: representative of Henry Auwae (deceased), representative of Edward Kanahele (deceased), Hannah Kane Reeves, Department of Hawaiian Home Lands, E Nana Pono, Hawaii Genealogy Society, Hawaii Island Burial Council, Kekumano Ohana, Keohokalole Ohana, Na Ali'i Lei Kawanakoa, Na Papa Kanaka O Pu'u Kohola, Nation of Hawai'i, Native Hawaiian Advisory Council, Office of Hawaiian Affairs, Puuhonua O Waimanalo, Royal Hawaiian Academy of Traditional Arts, State Council of Hawaiian Homestead Associations, and Van Horn Diamond Ohana.

FINDINGS AND RECOMMENDATIONS: On March 13–15, 2005, the Review Committee considered the dispute as presented by representatives of Hui Malama I Na Kupuna O Hawai'i Nei, Hawaii Volcanoes National Park, Department of Hawaiian Home Lands, Hawaii Genealogy Society, Kekumano Ohana, Na Ali'i Lei Kawanakoa, Na Papa Kanaka O Pu'u Kohola, Office of Hawaiian Affairs, Royal Hawaiian Academy of Traditional Arts, and Van Horn Diamond Ohana and made the following findings:

1. The park has been very slow in going through the NAGPRA process.
2. The number of potential claimants of the items has increased with the passage of time.
3. The Review Committee is encouraged that the park is now moving forward.

4. The Review Committee has chosen not to come to a finding as to whether the five objects are cultural items as defined by the statute and regulations.

5. The park has not done sufficient work to investigate right of possession.
6. The park needs to expand the involvement of Native Hawaiian participation and testimony.

The Review Committee recommends that:

1. Hawaii Volcanoes National Park initiate aggressive consultation with all claimants and other interested parties.
2. Hawaii Volcanoes National Park investigate the right of possession issue in light of territorial law in force at the time the objects were removed from the cave.

3. Hawaii Volcanoes National Park take steps to ensure that it completes the repatriation process by the end of 2005.

The National NAGPRA Program publishes this notice as part of its administrative and staff support for the Review Committee. The findings and recommendations are those of the Review Committee and do not necessarily represent the views of the Secretary of the Interior. The Secretary of the Interior has not taken a position on these matters.

Dated: May 20, 2005.

Rosita Worl,
Chair,

Native American Graves Protection and Repatriation Review Committee.
[FR Doc. 05–10795 Filed 5–31–05; 8:45 am]
BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Control of the Aztec Ruins National Monument, National Park Service, Aztec, NM; Correction

AGENCY: National Park Service, Interior.
ACTION: Notice; correction.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the control of the U.S. Department of the Interior, National Park Service, Aztec Ruins National Monument, Aztec, NM. These human remains and cultural items were removed from sites within and near Aztec Ruins National Monument, Aztec, NM.

This notice is published as part of the National Park Service's administrative

responsibilities under NAGPRA, 25 U.S.C. 3003, (d)(3). The determinations in this notice are the sole responsibility of the Superintendent, Aztec Ruins National Monument.

This notice corrects the number of human remains reported in a notice of inventory completion published in the **Federal Register** on October 2, 1998. A recent analysis of items from a portion of the Aztec Ruins National Monument collection identified a single bone as being human. The remains had been identified as non-human during previous examination. The human remains are culturally affiliated with the same tribes as described in the original notice.

In the **Federal Register** of October 2, 1998, FR Doc. 98–26418, pages 53098–53100, two paragraphs are inserted and one paragraph is corrected as follows:

The following two paragraphs are inserted after paragraph 12:

In 1983, human remains representing a minimum of one individual were recovered from room 221 in the West Ruin, located within park boundaries, during a legally authorized excavation in conjunction with stabilization work. No known individual was identified. No funerary objects are present.

Based on dendrochronology of the West Ruin and on cross dating of associated ceramic sherds, these human remains date to the Pueblo III period (circa A.D. 1100–1300).

Paragraph 27 is corrected by replacing the first sentence of the paragraph with the following sentence:

Based on the above-mentioned information, officials of the National Park Service have determined that, pursuant to 43 CFR 10 (d)(1), the human remains listed above represent the physical remains of 126 individuals of Native American ancestry.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with these human remains should contact Dennis Carruth, Superintendent, Aztec Ruins National Monument, 84 County Road 2900, Aztec, NM 87410, telephone (505) 334–6174, before July 1, 2005. Repatriation of these human remains to the Hopi Tribe of Arizona; Navajo Nation, Arizona, New Mexico & Utah; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New

Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; and Zuni Tribe of the Zuni Reservation, New Mexico may proceed after that date if no additional claimants come forward.

Aztec Ruins National Monument is responsible for notifying the Apache Tribe of Oklahoma; Fort McDowell Yavapai Nation, Arizona (formerly the Fort McDowell Mohave-Apache Community of the Fort McDowell Indian Reservation); Fort Sill Apache Tribe of Oklahoma; Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Navajo Nation, Arizona, New Mexico & Utah; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico & Utah; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; and Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10802 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: U.S. Department of the Interior, National Park Service, Chaco Culture National Historical Park, Nageezi, NM

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent

to repatriate cultural items in the possession of the U.S. Department of the Interior, National Park Service, Chaco Culture National Historical Park, Nageezi, NM, that meet the definition of "sacred objects" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the superintendent, Chaco Culture National Historical Park.

The cultural items are part of a bundle that includes the following: 1 small hide bundle tied with a leather strip; 3 small hide pouches tied with yucca cordage; 1 tanned rodent hide; 6 hide fragments; 2 shell beads; 5 quartz crystals; 1 calcite cylinder; 2 steatite cylinders; 4 chert flakes; 1 chert scraper; 2 reed fragments; more than 44 fragments of unidentified plants, roots, and sticks; 1 piece of cotton fabric; 4 fragments of limonite; 1 yucca quid; 14 yucca cordage fragments; 1 hank of untwisted yucca; 3 yucca cordage fragments strung with 31 stone beads; 1,890 small stone beads; 75 squash seeds; 1 corn cob, with kernels, two-thirds of which is wrapped with cotton cordage; 3 projectile points; 1 stone knife; 3 gourd rind fragments; 1 bone awl; 1 strand of yucca cordage with 33 shell beads, 1 turquoise pendant, 1 turquoise bead, 1 bone bead; 1 deciduous human tooth; 3 shaped quartz crystals tied with sinew; 1 drilled bivalve fossil; 1 drilled hematite nodule with a fragment of leather; 4 hematite nodules; 2 petrified wood nodules; 1 turquoise nodule; 1 unidentified mineral nodule; 1 hollow tube concretion; and 20 fragments of an unidentified gray mineral.

The items were received by Chaco Culture National Historical Park via delivery service on September 25, 2000, without an accompanying letter or note. It was later determined that the person named on the return address is deceased. The park has no information regarding the origin of the items or their age. The only information available is that the deceased requested that his heirs send the items to Chaco Culture National Historical Park. The park archeologist determined the items may have come from a container, a sealed room, or a dry cave.

In May 2004, the park's museum technician determined that the items may have been part of a medicine bundle that would meet the NAGPRA definition of sacred object. On July 27, 2004, the park consulted with representatives of the Hopi Tribe of Arizona; Navajo Nation, Arizona, New Mexico, & Utah; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico;

Pueblo of Isleta, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Zia, New Mexico; and the Zuni Tribe of the Zuni Reservation, New Mexico. On July 29, 2004, the park corresponded with representatives of the Jicarilla Apache Nation, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Tesuque, New Mexico; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, and Utah; and Ysleta Del Sur Pueblo of Texas. Representatives from the Navajo Nation of Arizona, New Mexico, and Utah; Pueblo of Laguna, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of Taos, New Mexico; and Pueblo of Zia, New Mexico visited the park's museum collection to view the items. Representatives of the Hopi Tribe of Arizona and Pueblo of Acoma, New Mexico requested and received digital photographs of the items.

In the Southwest, archeological evidence of medicine bundles appears limited to Basketmaker phase cave sites (A.D. 1-700), where organic material such as animal skins, feathers, and plant material have been preserved from the elements. The contents of these bundles, which are often made of prairie dog skin, include projectile points, shell pendants, stringed shell and turquoise beads, crystals, hematite, feathers, azurite, malachite, limonite, squash seeds, plant materials, bone and wood dice, stone beads, and fossilized teeth. Frequently, individual items, particularly paints such as hematite and limonite and beads, were placed in smaller animal skin pouches tied with sinew or cordage within the larger bundle.

Navajo medicine bundles, like Puebloan bundles, are made of perishable materials such as skin, cloth, yarn, feathers, reeds and other vegetal material. Consultation with representatives of the Navajo Nation, Arizona, New Mexico, & Utah established that the bundle described in this notice is not of Navajo origin.

Representatives of the Pueblo of Zia, New Mexico identified the 2,173 cultural items as ceremonial objects needed for the practice of traditional religion. They identified the bundle as one of the bundles kept by Pueblo of Zia

medicine men who use the objects as part of their healing ceremonies and preparation of prayer sticks associated with solstice offerings. The contents of Zia medicine bundles are usually kept individually in small hide pouches tied with leather or yucca cords, which in turn are kept in larger bundles. Small quartz crystals, minerals, beads, flakes and seeds are commonly used to adorn and paint prayer sticks.

Officials of Chaco Culture National Historical Park have determined that, pursuant to 25 U.S.C. 3001 (3)(C), the cultural items are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Officials of Chaco Culture National Historical Park also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the sacred objects and the Pueblo of Zia, New Mexico.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the sacred objects should contact Dennis Carruth, acting superintendent, Chaco Culture National Historical Park, Post Office Box 220, Nageezi, NM 87037, telephone (505)786-7014, before July 1, 2005. Repatriation of the sacred objects to the Pueblo of Zia, New Mexico may proceed after that date if no additional claimants come forward.

Chaco Culture National Historical Park is responsible for notifying the Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Navajo Nation, Arizona, New Mexico, & Utah; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; Southern Ute Indian Tribe of the Southern Ute Reservation, Colorado; Ute Mountain Tribe of the Ute Mountain Reservation, Colorado, New Mexico, and Utah; Ysleta Del Sur Pueblo of Texas; and Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10812 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Wallowa-Whitman National Forest, Hells Canyon National Recreation Area, Baker City, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Wallowa-Whitman National Forest, Baker City, OR. The human remains were removed from Wallowa County, OR.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Wallowa-Whitman National Forest professional staff in consultation with the Nez Perce Tribe of Idaho.

In June 1989, human remains representing a minimum of one individual were removed from the Knight Creek site (35WA767), Wallowa County, OR. The Knight Creek site is located approximately 47 miles south of Lewiston, ID. The Knight Creek site was looted by an unknown individual or individuals during the summer or fall of 1984. The 1989 archeological excavation was conducted by Central Washington University, under contract with the Wallowa-Whitman National Forest, as part of a damage assessment study. After analysis at Central Washington University, the materials were returned to the Wallowa-Whitman National Forest and have been kept at the Hells Canyon National Recreation headquarters in Enterprise, OR. No known individual was identified. No associated funerary objects are present.

Radiocarbon dates from the Knight Creek site range between B.P. 1040 (+/-90 years) and 2,450 B.P. (+/-120 years).

The Nez Perce Indians are believed to have occupied the area of Wallowa County, OR for over 7,000 years. The Knight Creek site is located within the ancestral and traditional lands of the Nez Perce Tribe of Idaho. Nothing was discovered at the site that would indicate that there was any cultural influence other than the Nez Perce people, which is represented today by the Nez Perce Tribe of Idaho.

Officials of the Wallowa-Whitman National Forest have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Wallowa-Whitman National Forest also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Nez Perce Tribe of Idaho.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Guy A. Marden, Forest Archaeologist, Wallowa-Whitman National Forest, P.O. Box 907, Baker City, OR 97814-3071, telephone (208) 885-3773, before July 1, 2005. Repatriation of the human remains to the Nez Perce Tribe of Idaho may proceed after that date if no additional claimants come forward.

Wallowa-Whitman National Forest is responsible for notifying the Nez Perce Tribe of Idaho that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10821 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: U.S. Department of the Interior, National Park Service, Sequoia & Kings Canyon National Parks, Three Rivers, CA and Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, Berkeley, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human

remains in the control of U.S. Department of the Interior, National Park Service, Sequoia & Kings Canyon National Parks, Three Rivers, CA and in the possession of the Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, Berkeley, CA. The human remains were removed from within the boundaries of Sequoia & Kings Canyon National Parks.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations within this notice are the sole responsibility of the superintendent, Sequoia & Kings Canyon National Parks.

A detailed assessment of the human remains was made by Phoebe A. Hearst Museum of Anthropology professional staff in consultation with representatives of the Big Sandy Rancheria of Mono Indians of California; Cold Springs Rancheria of Mono Indians of California; Northfork Rancheria of Mono Indians of California; Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California. Consultation was also carried out by Sequoia & Kings Canyon National Parks professional staff with the Dunlap Band of Mono Indians, Sierra Foothill Wuksachi Tribe, Sierra Nevada Native American Coalition, and Wukchumni Tribal Council; these groups, while not federally-recognized, represent traditionally associated peoples who have maintained interest in previous repatriation and reburial efforts for Sequoia & Kings Canyon National Parks.

In 1960, human remains representing a minimum of one individual were removed from site CA-Tul-24 (Hospital Rock) in Tulare County, CA, by J.C. von Werlhof. In 1961, Mr. von Werlhof transferred these fragmentary human remains to the Phoebe A. Hearst Museum of Anthropology, where they currently are secured. No known individuals were identified. No funerary objects are present.

The Hospital Rock site is a pictograph and occupation site. Characteristics of material culture, including Desert series projectile points, steatite beads, and brownware ceramics indicate that the site was inhabited post- A.D. 1500, until circa A.D. 1860. This suite of artifact types is most strongly affiliated in the archeological record with Yokuts and Western Mono (Monache) cultural groups. Geographic and linguistic

evidence places Yokuts and Western Mono (Monache) groups within the western foothills of the southern Sierra Nevada during this time period.

Officials of Sequoia & Kings Canyon National Parks and Phoebe A. Hearst Museum of Anthropology have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains listed above represent the physical remains of one individual of Native American ancestry. Officials of Sequoia & Kings Canyon National Parks and Phoebe A. Hearst Museum of Anthropology also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Big Sandy Rancheria of Mono Indians of California; Cold Springs Rancheria of Mono Indians of California; Northfork Rancheria of Mono Indians of California; Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact C. Richard Hitchcock, NAGPRA Coordinator, Phoebe A. Hearst Museum of Anthropology, University of California, Berkeley, Berkeley, CA 94720, telephone (510) 642–6096, before July 1, 2005. Repatriation of the human remains to the Big Sandy Rancheria of Mono Indians of California; Cold Springs Rancheria of Mono Indians of California; Northfork Rancheria of Mono Indians of California; Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River Indian Tribe of the Tule River Reservation, California; and Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California may proceed after that date if no additional claimants come forward.

Officials of Sequoia & Kings Canyon National Parks are responsible for notifying the Big Sandy Rancheria of Mono Indians of California; Cold Springs Rancheria of Mono Indians of California; Northfork Rancheria of Mono Indians of California; Picayune Rancheria of Chukchansi Indians of California; Santa Rosa Indian Community of the Santa Rosa Rancheria, California; Table Mountain Rancheria of California; Tule River

Indian Tribe of the Tule River Reservation, California; and Tuolumne Band of Me-Wuk Indians of the Tuolumne Rancheria of California that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05–10810 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Kutztown University of Pennsylvania, Kutztown, PA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of Kutztown University of Pennsylvania, Kutztown, PA. The human remains were removed from Depauville, Jefferson County, NY.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Kutztown University of Pennsylvania professional staff in consultation with representatives of the Onondaga Nation of New York and the St. Regis Band of Mohawk Indians of New York.

In the summer of 1972, human remains representing a minimum of 31 individuals were removed from the Enderton site (CLN–82), Depauville, Jefferson County, NY, by Peter Miller. Mr. Miller was an employee of Kutztown State College (now known as Kutztown University of Pennsylvania). The land was privately owned by James Enderton. The excavation was halted by a court injunction against Mr. Miller, and the human remains were taken back to Kutztown State College. Later that same year, the human remains of 10 individuals removed from the Enderton site were returned to the Onondaga Nation of New York and the St. Regis Band of Mohawk Indians of New York for reburial on the Onondaga

reservation. The human remains representing a minimum of 21 individuals have been curated at Kutztown University of Pennsylvania since that time. No known individuals were identified. No funerary objects are present.

There are no artifacts from the site in the possession of Kutztown University of Pennsylvania. The collection has not been carbon dated, and establishing an associated date is not possible in the absence of artifacts. Mr. Miller, however, has reported that the graves were located in association with longhouses, and that some non-funerary objects (pottery) were recovered from the surface of the village. The only archeologically known sites that demonstrate similar burial patterns are from the Late Woodland (A.D. 800–1500) to historic time periods (A.D. 1500–present). The dentition of the individuals currently in the possession of Kutztown University of Pennsylvania suggests that individuals from several different time periods were removed from the site. The site may be 2,000–200 years old, though it most likely dates from the Late Woodland through contact and into early Historic periods.

The remains are considered to be Native American based on historical documents and skeletal features. Although many different burial customs are evident, the burial customs and location of the graves suggest that the remains are of Mohawk or Onondaga origin. Archeological evidence and oral history indicate that the Mohawk and Onondaga people, represented by the present-day Onondaga Nation of New York and St. Regis Band of Mohawk Indians of New York, have occupied this area since circa A.D. 1350.

Officials of Kutztown University of Pennsylvania have determined that, pursuant to 25 U.S.C. 3001 (9–10), the human remains described above represent the physical remains of 21 individuals of Native American ancestry. Officials of Kutztown University of Pennsylvania also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Onondaga Nation of New York and the St. Regis Band of Mohawk Indians of New York.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Dr. James Delle, Department of Anthropology, Kutztown University of Pennsylvania, Kutztown, PA 19530, telephone (610) 683–4243, before July 1, 2005. Repatriation of the

human remains to the Onondaga Nation of New York may proceed after that date if no additional claimants come forward. The St. Regis Band of Mohawk Indians of New York supports the repatriation of the human remains to the Onondaga Nation of New York.

Kutztown University of Pennsylvania is responsible for notifying the Onondaga Nation of New York and the St. Regis Band of Mohawk Indians of New York that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05–10820 Filed 5–31–05; 8:45 am]

BILLING CODE 4312–50–S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate a Cultural Item: National Guard Bureau, Texas Army National Guard (Texas Military Forces), Austin, TX

AGENCY: National Park Service, Interior.
ACTION: Notice.

SUMMARY: Pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA), the National Guard Bureau, Texas Military Forces (TXMF, which is the state agency that, per 25 USC § 3001(8), has “control” of the cultural item) and the Texas Historical Commission (the state agency that has guardianship of the cultural item) determined that one unassociated funerary object in the collections of the TXMF, described below in **Information about cultural items**, is culturally affiliated with the Caddo Nation of Oklahoma. The cultural item is in the physical custody of the Texas Archaeological Research Laboratory at the University of Texas at Austin.

The National Park Service publishes this notice on behalf of the TXMF as part of the National Park Service’s administrative responsibilities under NAGPRA. The TXMF is solely responsible for information and determinations stated in this notice. The National Park Service is not responsible for the TXMF’s determinations.

Information about NAGPRA is available online at <http://www.cr.nps.gov/nagpra>.

DATES: Repatriation of the cultural item to the Caddo Nation of Oklahoma may proceed after July 1, 2005, if no additional claimants come forward. Representatives of any other Indian tribe

that believes itself to be culturally affiliated with the cultural item should contact the TXMF before July 1, 2005.

SUPPLEMENTARY INFORMATION: Authority. 25 U.S.C. 3001 *et seq.* and 43 CFR Part 10.

Contact. Contact Lieutenant Colonel Patrick T Dye, Environmental Program Manager, Texas Military Forces, P.O. Box 5218 (JFTX-G4–EV), Austin, TX 78763–5218, telephone (512) 782–6813, regarding determinations stated in this notice or to claim the cultural item described in this notice.

Consultation. TXMF officials and the University of Texas at San Antonio archeologists identified the cultural item and assessed the cultural affiliation of the cultural item at the request of the Caddo Nation of Oklahoma, and in consultation with representatives of the Caddo Nation of Oklahoma.

Information about cultural items. In 2000, archeologists with the Center for Archaeological Research, University of Texas at San Antonio removed one ceramic vessel during test excavations at site 41LR152, at the TXMF’s Camp Maxey facility in Lamar County, TX. The vessel was collected from level seven of excavation unit two, 70 centimeters below surface, and was in an upright position with no associated artifacts. In the report Camp Maxey III Archaeological Testing of 23 Prehistoric Sites, Lamar County, Texas (Mahoney et al 2001), the vessel is described as a “fine grog-tempered plain jar, of undetermined type, with a direct rim and a flat lip, and a flat base.” Excavations around the vessel did not indicate any subsurface disturbances that would indicate a burial feature. However, an archeological consultant hired by the TXMF suggested that due to the condition of the vessel, and its depth and vertical orientation, the vessel may have been associated with a burial. TXMF agreed with the consultant and the conclusion that the vessel meets the definition of an “unassociated funerary object” as defined at 25 U.S.C. 3001 (3)(B). The site from which the cultural item was removed (Camp Maxey) is State and not Federal property.

During a meeting on April 10, 2003, the Caddo NAGPRA representative requested information regarding the ceramic vessel that was removed from site 41LR152 at the TXMF Camp Maxey facility, and which he believed might meet the definition of an unassociated funerary object. Intact ceramic vessels are typically encountered in association with burials and are rarely discovered in other contexts. The excavation report notes that, “the recovery of an intact

native ceramic vessel, with a terminal depth of 70cm bs, is a definite anomaly" but concedes that depending upon how long ago the vessel was deposited, "it is feasible to assume that the intrusive activity may no longer be discernable in the stratigraphy" (Mahoney et al 2001). The TXMF consultant suggested that the vessel may have been associated with a human burial, but that conditions at the site were not conducive to the preservation of human remains.

Radiocarbon dates and the absence of stratigraphic evidence for a pit indicate that the vessel is associated with the Woodland period. The archeological record in northeast Texas provides evidence for cultural continuity between the Woodland period and subsequent Caddo periods. Williams Plain pottery, which first appeared during the Woodland period, has been discovered in association with later Caddoan pottery; and in the Red River Basin, the production of Williams Plain pottery appears to have continued until the end of the Middle Caddoan period, circa A.D. 1300. This shared ceramic tradition suggests cultural continuity between the Woodland period inhabitants of the Red River Basin and later Caddo occupants of the basin.

Determination. Under 25 U.S.C. 3005, TXMF officials determined that the one ceramic vessel described above is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony and is believed, by a preponderance of the evidence, to have been removed from a specific burial site of a Native American individual.

TXMF officials determined that the unassociated funerary object is culturally affiliated with the Caddo Nation of Oklahoma.

Notification. The TXMF is responsible for sending a copy of this notice to the Caddo Nation of Oklahoma.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10797 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Oakland Museum of California, Oakland, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession of the Oakland Museum of California, Oakland, CA. The human remains and associated funerary objects were removed from Mineral Creek in Pinal County, AZ.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Oakland Museum of California professional staff in consultation with representatives of the Gila River Indian Community of the Gila River Indian Reservation, Arizona. The Gila River Indian Community of the Gila River Indian Reservation, Arizona is acting on behalf of the Ak Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; Tohono O'odham Nation of Arizona, and themselves.

At an unknown date, human remains representing a minimum of one individual were removed from Mineral Creek in Pinal County, AZ, by person(s) unknown. In 1914, Mr. Otho Moses donated the human remains as part of a collection of geological and ethnographic materials to the Oakland Public Museum (now Oakland Museum of California). It is unknown how or when Mr. Moses acquired the human remains. No known individual was identified. The one associated funerary object is a bone awl.

Information in the Oakland Museum of California's records describes the site from which the human remains and associated funerary objects were removed as being located 15 or 16 miles up the Gila River from Florence, AZ. Based on geographic location, skeletal morphology, and analysis of the associated funerary object, this individual has been identified as a Native American of Hohokam affiliation. Archeological, historical, and oral tradition evidence indicate that there is a relationship of shared group identity between the Hohokam people and the present-day Piman and

O'odham cultures, represented by the Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and Tohono O'odham Nation of Arizona.

Officials of the Oakland Museum of California have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of one individual of Native American ancestry. Officials of the Oakland Museum of California also have determined that, pursuant to 25 U.S.C. 3001 (3)(A), the one object described above is reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Lastly, officials of the Oakland Museum of California have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and associated funerary object and the Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and Tohono O'odham Nation of Arizona.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary object should contact Carey T. Caldwell, Curator of Special Projects, Oakland Museum of California, 1000 Oak St., Oakland, CA 94607, telephone (510) 238-3842, before July 1, 2005. Repatriation of the human remains and associated funerary object to the Gila River Indian Community of the Gila River Indian Reservation, Arizona may proceed after that date if no additional claimants come forward. The Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Salt River Pima-Maricopa Indian Community of the Salt River Reservation, Arizona; and Tohono O'odham Nation of Arizona supports the repatriation of the human remains and associated funerary object to the Gila River Indian Community of the Gila River Indian Reservation, Arizona.

The Oakland Museum of California is responsible for notifying the Ak-Chin Indian Community of the Maricopa (Ak Chin) Indian Reservation, Arizona; Gila River Indian Community of the Gila River Indian Reservation, Arizona; Salt River Pima-Maricopa Indian

Community of the Salt River Reservation, Arizona; and Tohono O'odham Nation of Arizona that this notice has been published.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10808 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Oregon State Museum of Anthropology, University of Oregon, Eugene, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: Pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA), the Oregon State Museum of Anthropology, University of Oregon, Eugene, OR (museum that has control of the cultural items), determined that the physical remains of 10 individuals of Native American ancestry and approximately 331 associated funerary objects in the museum's collections, described below in **Information about cultural items**, are culturally affiliated with the Coquille Tribe of Oregon; Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon; Confederated Tribes of the Grande Ronde Community of Oregon; and Confederated Tribes of the Siletz Reservation, Oregon.

The National Park Service publishes this notice on behalf of the museum as part of the National Park Service's administrative responsibilities under NAGPRA. The museum is solely responsible for information and determinations stated in this notice. The National Park Service is not responsible for the museum's determinations.

Information about NAGPRA is available online at <http://www.cr.nps.gov/nagpra>.

DATES: Repatriation of the cultural items to the Indian tribes listed above in Summary may proceed after July 1, 2005, if no additional claimants come forward. Representatives of any other Indian tribe that believes itself to be culturally affiliated with the cultural items should contact the museum before July 1, 2005.

SUPPLEMENTARY INFORMATION: Authority. 25 U.S.C. 3001 *et seq.* and 43 CFR Part 10.

Contact. Contact C. Melvin Aikens, Oregon State Museum of Anthropology,

1224 University of Oregon, Eugene, OR 97403-1224, telephone (541) 346-5115, regarding determinations stated in this notice or to claim the cultural items described in this notice.

Consultation. The museum identified the cultural items and the cultural affiliation of the cultural items in consultation with representatives of the Coquille Tribe of Oregon; Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon; Confederated Tribes of the Grande Ronde Community of Oregon; and Confederated Tribes of the Siletz Reservation, Oregon.

Information about cultural items. In 1938, human remains representing a minimum of four individuals were removed from three burials during excavations by University of Oregon staff at site 35SC3, Bullards Beach, Coos County, OR. The status of the land at the time of removal is unknown. The museum accessioned the human remains into the collection in 1939. No known individuals were identified. The 75 associated funerary objects are pine nut beads.

Site 35SC3 is a habitation site that probably dates to the middle of the 19th century. The published site report states that the three burials were interred underneath decayed wood planks, but remnants of the planks apparently were not collected.

In 1952, human remains representing a minimum of two individuals were removed from site 35CS5, Bullards Beach, Coos County, OR, during excavations by University of Oregon staff. The status of the land at the time of removal is unknown. The museum accessioned the human remains into the collection in 1959. No known individuals were identified. The approximately 250 associated funerary objects include glass and dentalium shell beads and cedar plank fragments.

In 1954, human remains representing a minimum of one individual were removed from site 35CS5, Bullards Beach, Coos County, OR, and donated the same year to the museum by local residents. The status of the land at the time of removal is unknown. The names of the residents are withheld by the museum. No known individual was identified. The two associated funerary objects are one stone scraper and one blue glass bead.

At an unknown date, human remains representing one individual were recovered by an unknown party from site 35CS5, Bullards Beach, Coos County, OR, and were accessioned into the collection at an unknown date. The status of the land at the time of removal is unknown. No known individual was

identified. No associated funerary objects are present.

The presence of the Euroamerican beads at site 35CS5 dates the human remains that were removed in 1952 and 1954 to the Protohistoric or Historic period.

In 1969, human remains representing a minimum of two individuals were removed from the vicinity of the Coquille River, Coos County, OR, by the Coos County sheriff, who discovered the human remains exposed by flooding. The status of the land at the time of removal is unknown. The sheriff donated the human remains to the museum the same year. The museum inventoried two sets of human remains attributed to site 35CS1 at Bandon, Coos County, OR, which is several miles north of Bullards Beach, Coos County, OR, on the Coquille River. No information is available regarding the date that the human remains were removed from site 35CS1, or when the human remains were accessioned into the museum. The museum considers it likely that the inventoried human remains from site 35CS1 are the same human remains that the sheriff removed in 1969, although due to cataloging problems this interpretation cannot be established with certainty. While no associated funerary objects are identified in museum records, copper buttons and a whale bone fragment are stored with the human remains. Based on the appearance of copper staining on the human bone, the museum has determined that the objects are funerary objects associated with the human remains. No known individuals were identified. The four associated funerary objects are three copper buttons and one whale bone fragment.

The funerary objects associated with the human remains indicate a Contact period age.

Based on associated funerary objects, archeological context, and skeletal morphology, the human remains have been determined to be Native American. Historic documents, continuities of material culture, ethnographic sources, and oral history indicate the Coquille people have occupied the Bullards and Bandon areas since precontact times.

Determinations. Under 25 U.S.C. 3003, museum officials determined that the human remains represent the physical remains of 10 individuals of Native American ancestry. Museum officials determined that the approximately 331 objects are reasonably believed to have been placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Museum officials determined that the human

remains and associated funerary objects are culturally affiliated with the Indian tribes listed in *Summary*.

Notification. The museum is responsible for sending a copy of this notice to the consulted Indian tribes listed above in Consultation.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks

[FR Doc. 05-10800 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Oregon State Museum of Anthropology, University of Oregon, Eugene, OR

AGENCY: National Park Service, Interior.

ACTION: Notice.

SUMMARY: Pursuant to the Native American Graves Protection and Repatriation Act (NAGPRA), the Oregon State Museum of Anthropology, University of Oregon, Eugene, OR (museum that has control of the cultural items), determined that the physical remains of nine individuals of Native American ancestry and four associated funerary objects in the museum's collections, described below in **Information about cultural items**, are culturally affiliated with the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon; Confederated Tribes of the Grand Ronde Community of Oregon; Confederated Tribes of the Siletz Reservation, Oregon; and Coquille Tribe of Oregon.

The National Park Service publishes this notice on behalf of the museum as part of the National Park Service's administrative responsibilities under NAGPRA. The museum is solely responsible for information and determinations stated in this notice. The National Park Service is not responsible for the museum's determinations.

Information about NAGPRA is available online at <http://www.cr.nps.gov/nagpra>.

DATES: Repatriation of the cultural items to the Indian tribes listed above in Summary may proceed after July 1, 2005 if no additional claimants come forward. Representatives of any other Indian tribe that believes itself to be culturally affiliated with the cultural items should contact the museum before July 1, 2005.

SUPPLEMENTARY INFORMATION: Authority. 25 U.S.C. 3001 *et seq.* and 43 CFR Part 10.

Contact. Contact C. Melvin Aikens, Oregon State Museum of Anthropology, 1224 University of Oregon, Eugene, OR 97403-1224, telephone (541) 346-5115, regarding determinations stated in this notice or to claim the cultural items described in this notice.

Consultation. The museum identified the cultural items and the cultural affiliation of the cultural items in consultation with representatives of the Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon; Confederated Tribes of the Grand Ronde Community of Oregon; Confederated Tribes of the Siletz Reservation, Oregon; and Coquille Tribe of Oregon.

Information about cultural items. At an unknown date, human remains representing a minimum of one individual were removed from the "Coos Bay area" and donated to the museum by a donor whose name is withheld by the museum. The status of the land at the time of removal is unknown. The Oregon State Museum accessioned the material into the collection at an unknown date. A map related to the human remains indicates the human remains were recovered from northwest of North Bend, Coos County, OR. No known individual was identified. No associated funerary objects are present.

In 1933, human remains representing three individuals were removed by University of Oregon and amateur archeologists during legally authorized excavations from a village site near North Bend, Coos County, OR. The status of the land at the time of removal is unknown. Materials stored with the human remains may have been associated with the burial and are listed in the accession record as "shell-mound refuse." No known individuals were identified. The two lots of associated funerary objects are one dentalium shell and fragments of shell, bone, and charred wood.

In 1934, human remains representing a minimum of two individuals were removed from the Coos Bay area, Coos County, OR, and were donated to the museum by a donor whose name is withheld by the museum. The status of the land at the time of removal is unknown. The Oregon State Museum accessioned the material into the collection in 1934. Euroamerican items that were associated with the human remains but not donated to the museum indicate a historic or proto-historic date for the remains. No known individuals were identified. No associated funerary objects are present.

Based on associated funerary objects, archeological context, and skeletal morphology, the human remains have been determined to be Native American. Historic documents, continuities of material culture, ethnographic sources, and oral history indicate the Coos people have occupied the Coos Bay area since precontact times.

In 1936, human remains representing a minimum of one individual were removed from Baker's Ranch, south of Heceta Head, Lane County, OR, by an unknown individual. The status of the land at the time of removal is unknown. The Oregon State Police brought the human remains to the museum, and the material was accessioned into the collection in 1936. No known individual was identified. The two associated funerary objects are one bone headscratcher and several unmodified sea lion bones.

In 1952, human remains representing a minimum of one individual were removed from the area of Mapleton, Lane County, OR, and were donated to the museum by a donor whose name is withheld by the museum. The status of the land at the time of removal, is unknown. The Oregon State Museum accessioned the material into the collection in 1952. The remains of a fir post are recorded as being associated with the burial, but the post was not donated with the human remains. No known individual was identified. No associated funerary objects are present.

In 1979 or sometime before, human remains representing one individual were removed from an unrecorded shell mound a half-mile north of the Oregon House Hotel, near Heceta Head, Lane County, OR, and were donated to the museum by a donor whose name is withheld by the museum. The status of the land at the time of removal is unknown. The Oregon State Museum accessioned the material into the collection in 1979. No known individual was identified. No associated funerary objects are present.

Based on associated funerary objects, archeological context, and skeletal morphology, the human remains have been determined to be Native American. Historic documents, continuities of material culture, ethnographic sources, and oral history indicate the Siuslaw people have occupied the central Oregon coast area since precontact times.

Determinations. Under 25 U.S.C. 3003, museum officials determined that the human remains represent the physical remains of nine individuals of Native American ancestry. Museum officials determined that the four objects are reasonably believed to have been

placed with or near individual human remains at the time of death or later as part of the death rite or ceremony. Museum officials determined that the human remains and associated funerary objects are culturally affiliated with the Indian tribes listed in **Summary**.

Notification. The museum is responsible for sending a copy of this notice to the consulted Indian tribes listed above in **Consultation**.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks

[FR Doc. 05-10801 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion: Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains in the possession of the Peabody Museum of Archaeology and Ethnology, Harvard University, Cambridge, MA. The human remains were removed from Pecos Pueblo, San Miguel County, NM.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains. The National Park Service is not responsible for the determinations in this notice.

A detailed assessment of the human remains was made by Peabody Museum of Archaeology and Ethnology professional staff in consultation with representatives of the Fort McDowell Yavapai Nation, Arizona; Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation, Arizona, New Mexico & Utah; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San

Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Ysleta del Sur Pueblo of Texas; and Zuni Tribe of the Zuni Reservation, New Mexico.

Between 1914 and 1916, human remains representing a minimum of two individuals were removed from Pecos Pueblo in San Miguel County, NM, by A.V. Kidder during the Andover Pecos Expedition. The human remains were donated to the Peabody Museum of Archaeology and Ethnology by the Andover Archaeological Department in 1919. No known individuals were identified. No associated funerary objects are present.

At an unknown date, human remains representing a minimum of eight individuals were removed from Pecos Pueblo in San Miguel County, NM, by an unknown person. The human remains were received by the Peabody Museum of Archaeology and Ethnology at an unknown date and were accessioned into the museum collections in 2000. No known individuals were identified. No associated funerary objects are present.

The ceramic types recovered from Pecos Pueblo indicate that the site was occupied into the Historic period (circa A.D. 1300-1700). Historic records document occupation at the site until 1838 when the last inhabitants left the Pueblo and went to the Pueblo of Jemez. In 1936, an Act of Congress recognized the Pueblo of Jemez as a "consolidation" and "merger" of the Pueblo of Pecos and the Pueblo of Jemez; this Act further recognizes that all property, rights, titles, interests, and claims of both Pueblos were consolidated under the Pueblo of Jemez. Further evidence supporting a shared group identity between the Pecos and Jemez pueblos emerges in numerous aspects of present-day Jemez life. The 1992-1993 Pecos Ethnographic Project (unrelated to NAGPRA) states, "[T]he cultural evidence of Pecos living traditions are 1) the official tribal government position of a Second Lieutenant/ Pecos Governor; 2) the possession of the Pecos Pueblo cane of office; 3) the statue and annual feast day

of Porcingula (Nuestra Senora de los Angeles) on August 2; 4) the Eagle Watchers' Society; 5) the migration of Pecos people in the early nineteenth century; and 6) the knowledge of the Pecos language by a few select elders." (Levine 1994:2-3)

Officials of the Peabody Museum of Archaeology and Ethnology have determined that, pursuant to 25 U.S.C. 3001 (9-10), the human remains described above represent the physical remains of 10 individuals of Native American ancestry. Officials of the Peabody Museum of Archaeology and Ethnology also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the Native American human remains and the Pueblo of Jemez, New Mexico.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains should contact Patricia Capone, Repatriation Coordinator, Peabody Museum of Archaeology and Ethnology, Harvard University, 11 Divinity Avenue, Cambridge, MA 02138, telephone (617) 496-3702, before July 1, 2005. Repatriation of the human remains to the Pueblo of Jemez, New Mexico may proceed after that date if no additional claimants come forward.

The Peabody Museum of Archaeology and Ethnology is responsible for notifying the Fort McDowell Yavapai Nation, Arizona; Hopi Tribe of Arizona; Jicarilla Apache Nation, New Mexico; Mescalero Apache Tribe of the Mescalero Reservation, New Mexico; Navajo Nation, Arizona, New Mexico & Utah; Pueblo of Acoma, New Mexico; Pueblo of Cochiti, New Mexico; Pueblo of Isleta, New Mexico; Pueblo of Jemez, New Mexico; Pueblo of Laguna, New Mexico; Pueblo of Nambe, New Mexico; Pueblo of Picuris, New Mexico; Pueblo of Pojoaque, New Mexico; Pueblo of San Felipe, New Mexico; Pueblo of San Ildefonso, New Mexico; Pueblo of San Juan, New Mexico; Pueblo of Sandia, New Mexico; Pueblo of Santa Ana, New Mexico; Pueblo of Santa Clara, New Mexico; Pueblo of Santo Domingo, New Mexico; Pueblo of Taos, New Mexico; Pueblo of Tesuque, New Mexico; Pueblo of Zia, New Mexico; San Carlos Apache Tribe of the San Carlos Reservation, Arizona; Tonto Apache Tribe of Arizona; White Mountain Apache Tribe of the Fort Apache Reservation, Arizona; Yavapai-Apache Nation of the Camp Verde Indian Reservation, Arizona; Ysleta del Sur Pueblo of Texas; and Zuni Tribe of the Zuni Reservation, New Mexico that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10813 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate a Cultural Item: Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley, Berkeley, CA

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate a cultural item in the possession of the Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley, Berkeley, CA that meets the definition of "objects of cultural patrimony" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural items. The National Park Service is not responsible for the determinations in this notice.

The one cultural item is a Tlingit Chilkat tunic with a Kaagwaantaan Clan of Klukwan bear crest. In 1977, the cultural item was donated to the Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley by the daughter of the original purchaser, who had acquired the tunic from the widow of a Tlingit Kaagwaantaan Clan leader during the 1930s.

The Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley consulted with Sealaska Corporation, acting on behalf of the Kaagwaantaan Clan of Klukwan. Museum records contain a photograph circa 1900 showing the Kaagwaantaan Clan leader wearing the Chilkat tunic with bear crest. Written records obtained at the time of the donation indicate that the Chilkat tunic was worn at a potlatch given by Chief Shakes in Wrangel, AK in 1879. Museum records also indicate that the widow knew that the tunic should not be sold. Sealaska Corporation provided further evidence that the Chilkat tunic with bear crest was the property of the Kaagwaantaan Clan, could not have been conveyed by

any individual tribal member, and should be returned as an object of cultural patrimony. The Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley agrees with the evidence and therefore will repatriate the Chilkat tunic with bear crest to the Sealaska Corporation, acting on behalf of the Kaagwaantaan Clan of Klukwan.

Officials of the Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley have determined that, pursuant to 25 U.S.C. 3001 (3)(D), the one cultural item described above has ongoing historical, traditional, or cultural importance central to the Native American group or culture itself, rather than property owned by an individual. Officials of the Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley also have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the object of cultural patrimony and the Kaagwaantaan Clan of Klukwan, represented by the Sealaska Corporation.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the object of cultural patrimony should contact C. Richard Hitchcock, NAGPRA Coordinator, Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley, Berkeley, CA 94720, telephone (510) 642-6096, before July 1, 2005. Repatriation of the object of cultural patrimony to the Sealaska Corporation, acting on behalf of the Kaagwaantaan Clan of Klukwan, may proceed after that date if no additional claimants come forward.

The Phoebe A. Hearst Museum of Anthropology at the University of California, Berkeley is responsible for notifying Chilkat Indian Village (Klukwan); Klukwan, Inc.; and Sealaska Corporation that this notice has been published.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10807 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Inventory Completion for Native American Human Remains and Associated Funerary Objects in the Control of the California State Department of Transportation (CALTRANS), Sacramento, CA, and in the Possession of the Department of Anthropology, San Francisco State University, San Francisco, CA; Correction

AGENCY: National Park Service, Interior.

ACTION: Notice; correction.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3003, of the completion of an inventory of human remains and associated funerary objects in the possession of the Department of Anthropology, San Francisco State University, San Francisco, CA, and in the control of the California State Department of Transportation (CALTRANS), Sacramento, CA. These human remains and cultural items were removed from Marin County, CA.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations within this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the Native American human remains and associated funerary objects. The National Park Service is not responsible for the determinations within this notice.

This notice corrects the name of the culturally affiliated federally recognized Indian tribe listed in the original notice of inventory completion. This notice also corrects the name of the site from which the human remains and cultural items were removed.

In the **Federal Register** of November 5, 2001, page 55956, paragraphs 3, 5, 6, and 7 are corrected by substituting "Federated Indians of Graton Rancheria, California" for "Indians of the Graton Rancheria of California."

In the **Federal Register** of November 5, 2001, page 55956, paragraph 4 is corrected by substituting "CA-MRN-192" for "CA-MRN-***."

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the human remains and associated funerary objects should contact Tina Biorn, California State Department of Transportation, P.O. Box 942874 (M.S. 27) Sacramento, CA 94274-0001 telephone (916) 653-0013,

before July 1, 2005. Repatriation of the human remains and associated funerary objects to the Federated Indians of Graton Rancheria, California may proceed after that date if no additional claimants come forward.

San Francisco State University is responsible for notifying the Federated Indians of Graton Rancheria, California that this notice has been published.

Dated: May 20, 2005.

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10804 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

DEPARTMENT OF THE INTERIOR

National Park Service

Notice of Intent to Repatriate Cultural Items: University of Alaska Museum of the North, Fairbanks, AK

AGENCY: National Park Service, Interior.

ACTION: Notice.

Notice is here given in accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), 25 U.S.C. 3005, of the intent to repatriate cultural items in the possession of the University of Alaska Museum of the North, Fairbanks, AK, that meet the definitions of "sacred objects" and "cultural patrimony" under 25 U.S.C. 3001.

This notice is published as part of the National Park Service's administrative responsibilities under NAGPRA, 25 U.S.C. 3003 (d)(3). The determinations in this notice are the sole responsibility of the museum, institution, or Federal agency that has control of the cultural items. The National Park Service is not responsible for the determinations in this notice.

The four cultural items are three ceremonial dance headdresses made from wood and organic paint and one beaded ceremonial tunic. One headdress measures 26.7 x 21.6 cm, is made of wood, canvas, and metal, and depicts in formline design a crest animal painted red and black. The second headdress is also made of wood and measures 29 cm tall; the base measures 22.8 x 24 cm. It depicts a frog crest in formline design and is decorated with abalone. The third headdress is a frontlet depicting Hawk and Sockeye. It is decorated with abalone shell, ermine or rabbit skins, and sea lion whiskers. The ceremonial tunic is made from red wool, has a Shark crest design on the front in beadwork and applied textile, and measures 102.5 x 159 cm.

Two of the three headdresses were obtained by the museum in 1976 as a donation from Harold McCracken. Their original acquisition was described in a publication by Mr. McCracken (Roughnecks and Gentlemen, 1968), who states that he purchased "wooden dance helmets" in 1916 (p. 84). Mr. McCracken also notes in the museum's original accession file that the two headdresses were acquired at Hoonah Village. The third headdress was purchased by the University of Alaska Museum director with museum funds from Maxine Silcot in 1985. There is no record of this transaction other than a notation with the purchase amount on the catalog card.

The ceremonial tunic was donated to the museum in 1957 by Pearl Miller Stuart, as part of a larger collection of undocumented Tlingit material. Ms. Stuart purchased the tunic in Ketchikan in 1956, along with a number of other garments that had no associated provenance.

The University of Alaska Museum of the North professional staff weighed evidence provided by the Hoonah Indian Association against anthropological and historic evidence in the University of Alaska Museum accession records and catalogs. The Hoonah Indian Association satisfactorily demonstrated a relationship of shared group identity, which can be traced historically and prehistorically by members of the present-day Indian tribe and an identifiable earlier group. The University of Alaska Museum of the North professional staff also consulted with representatives of the Central Council of the Tlingit & Haida Indian Tribes.

According to Tlingit tradition, ceremonial objects are required for use in potlatches and as part of the cycle of memorial rights. The Tlingit people are required to treat these objects and the spirits they embody according to established protocols to ensure the spiritual balance and well-being of the group. Such objects are inseparable from the ceremonies for which they are intended, and the Tlingit are compelled to host and participate in these ceremonies for their families, past, present, and future. The members of the Hoonah Indian Association (acting under Tlingit traditional law) consider that ownership of property resides with the group rather than any specific individual. Property cannot be transferred, conveyed, or alienated unless all members of the clan agree. Furthermore, the Tlingit assert an ownership-interest in the crest and

spirit designs depicted on the objects subject to this claim.

Officials of the University of Alaska Museum of the North have determined that, pursuant to 25 U.S.C. 3001 (3)(C), the cultural items described above are specific ceremonial objects needed by traditional Native American religious leaders for the practice of traditional Native American religions by their present-day adherents. Officials of the University of Alaska Museum of the North also have determined that, pursuant to 25 U.S.C. 3001 (3)(D), the cultural items described above have ongoing historical, traditional, and cultural importance central to the culture itself, rather than property owned by an individual. Lastly, officials of the University of Alaska Museum of the North have determined that, pursuant to 25 U.S.C. 3001 (2), there is a relationship of shared group identity that can be reasonably traced between the three headdresses and ceremonial tunic and the Hoonah Indian Association.

Representatives of any other Indian tribe that believes itself to be culturally affiliated with the sacred objects and cultural patrimony should contact Dr. Molly Lee, Curator of Ethnology, University of Alaska Museum of the North, 907 Yukon Drive, Fairbanks, AK 99775-6960, (907) 474-7828 before July 1, 2005. Repatriation of the sacred objects and cultural patrimony to the Hoonah Indian Association may proceed after that date if no additional claimants come forward.

The University of Alaska Museum of the North is responsible for notifying the Central Council of the Tlingit & Haida Indian Tribes, Hoonah Indian Association, Huna Totem Corporation, and Sealaska Corporation that this notice has been published.

Dated: May 20, 2005

Paul Hoffman,

Deputy Assistant Secretary, Fish and Wildlife and Parks.

[FR Doc. 05-10817 Filed 5-31-05; 8:45 am]

BILLING CODE 4312-50-S

INTERNATIONAL TRADE COMMISSION

[Invs. Nos. 731-TA-344, 391A, 392A, 392C, 393A, 394A, 396, and 399A (Second Review)]

Certain Bearings From China, France, Germany, Italy, Japan, Singapore, and the United Kingdom

AGENCY: United States International Trade Commission.

ACTION: Institution of five-year reviews concerning the antidumping duty orders on certain bearings from China, France, Germany, Italy, Japan, Singapore, and the United Kingdom.

SUMMARY: The Commission hereby gives notice that it has instituted reviews pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty orders on certain bearings from China, France, Germany, Italy, Japan, Singapore, and the United Kingdom would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the

Commission;¹ to be assured of consideration, the deadline for responses is July 21, 2005. Comments on the adequacy of responses may be filed with the Commission by August 16, 2005. For further information concerning the conduct of these reviews and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT: Mary Messer (202–205–3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-

impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its internet server (<http://www.usitc.gov>). The public record for these reviews may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background. On the dates listed below, antidumping duty orders were issued on the subject imports:

| Order date | Product/country | Inv. No. | FR cite |
|---------------|---------------------------------------|-------------|-------------|
| 6/15/87 | Tapered roller bearings/China | 731-TA-344 | 52 FR 22667 |
| 5/15/89 | Ball bearings/Germany | 731-TA-391A | 54 FR 20900 |
| 5/15/89 | Ball bearings/France | 731-TA-392A | 54 FR 20902 |
| 5/15/89 | Spherical plain bearings/France | 731-TA-392C | 54 FR 20902 |
| 5/15/89 | Ball bearings/Italy | 731-TA-393A | 54 FR 20903 |
| 5/15/89 | Ball bearings/Japan | 731-TA-394A | 54 FR 20904 |
| 5/15/89 | Ball bearings/Singapore | 731-TA-396 | 54 FR 20907 |
| 5/15/89 | Ball bearings/United Kingdom | 731-TA-399A | 54 FR 20910 |

Following five-year reviews by Commerce and the Commission, effective July 11, 2000, Commerce issued a continuation of the antidumping duty orders on imports of certain bearings from China, France, Germany, Italy, Japan, Singapore, and the United Kingdom (65 FR 42665). The Commission is now conducting second reviews to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct full reviews or expedited reviews. The Commission's determinations in any expedited reviews will be based on the facts available, which may include information provided in response to this notice.

Definitions. The following definitions apply to these reviews:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year reviews, as defined by the Department of Commerce.

(2) The *Subject Countries* in these reviews are China, France, Germany, Italy, Japan, Singapore, and the United Kingdom.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination concerning tapered roller bearings from China (Inv. No. 731-TA-344), the Commission found one *Domestic Like Product*: Tapered roller bearings and parts thereof—finished or unfinished; flange, take-up cartridge, and hanger units incorporating tapered roller bearings, and tapered roller housings (except pillow blocks) incorporating tapered rollers, with or without spindles, and whether or not for automotive use. In its original determinations concerning antifriction bearings (other than tapered roller bearings) and parts thereof from France, Germany, Italy, Japan, Singapore, and the United Kingdom (Investigations Nos. 731-TA-391–394, 396, and 399), the Commission made affirmative determinations with respect to each of the following three *Domestic Like Products*: (1) Ball bearings, (2)

cylindrical roller bearings, and (3) spherical plain bearings. One Commissioner defined the *Domestic Like Product* differently. In its full five-year review determinations, the Commission made affirmative determinations with respect to each of the following three *Domestic Like Products*, consistent with Commerce's scope definitions: (1) Ball bearings, (2) spherical plain bearings, and (3) tapered roller bearings. For purposes of this notice, you should report information separately on each of the following three *Domestic Like Products*: (1) Ball bearings, (2) spherical plain bearings, and (3) tapered roller bearings.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination concerning tapered roller bearings from China (Inv. No. 731-TA-344), the Commission found one *Domestic Industry* devoted to the production of the *Domestic Like Product*, as defined above. In its original determinations concerning antifriction bearings (other than tapered roller bearings) and parts

¹ No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117–0016/USITC No. 05–5–126,

expiration date June 30, 2005. Public reporting burden for the request is estimated to average 10 hours per response. Please send comments regarding the accuracy of this burden estimate to

the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

thereof from France, Germany, Italy, Japan, Singapore, and the United Kingdom (Investigations Nos. 731-TA-391-394, 396, and 399), the Commission made affirmative determinations with respect to three *Domestic Industries*, each devoted to the production of one of the three *Domestic Like Products*, as defined above. One Commissioner defined the *Domestic Industry* differently. In its full five-year review determinations, the Commission made affirmative determinations with respect to three *Domestic Industries*, each devoted to the production of one of the three *Domestic Like Products*, as defined above. For purposes of this notice, you should report information on three *Domestic Industries*, each devoted to the production of one of the following three *Domestic Like Products*: (1) Ball bearings, (2) spherical plain bearings, and (3) tapered roller bearings.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the reviews and public service list. Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the reviews as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the reviews.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission is seeking guidance as to whether a second transition five-year review is the "same particular matter" as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was "personal and substantial." However, any informal consultation will not relieve former

employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202-205-3088.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list. Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in these reviews available to authorized applicants under the APO issued in the reviews, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. § 1677(9), who are parties to the reviews. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification. Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with these reviews must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written submissions. Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is July 21, 2005. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews. The deadline for filing such comments is August 16, 2005. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by

facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the reviews must be served on all other parties to the reviews (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the reviews you do not need to serve your response).

Inability to provide requested information. Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determinations in the reviews.

Information to be Provided in Response to this Notice of Institution: Please provide the requested information separately for each *Domestic Like Product*, as defined by the Commission in its review determinations, and for each of the products identified by Commerce as *Subject Merchandise*. If you are a domestic producer, union/worker group, or trade/business association; import/export *Subject Merchandise* from more than one *Subject Country*; or produce *Subject Merchandise* in more than one *Subject Country*, you may file a single response. If you do so, please ensure that your response to each question includes the information requested for each pertinent *Subject Country*. As used below, the term "firm" includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name, telephone number, fax number, and E-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party

(including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in these reviews by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty orders on the *Domestic Industries* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industries*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Products*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in each *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries after 1998.

(7) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2004 (report quantity data in number of bearings and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of each *Domestic Like Product* accounted for by your firm's(s') production;

(b) the quantity and value of U.S. commercial shipments of each *Domestic Like Product* produced in your U.S. plant(s); and

(c) the quantity and value of U.S. internal consumption/company transfers of each *Domestic Like Product* produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country(ies)*, provide the following information on your firm's(s') operations on that product during calendar year 2004 (report

quantity data in number of bearings and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from each *Subject Country* accounted for by your firm's(s') imports;

(b) the quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. commercial shipments of *Subject Merchandise* imported from each *Subject Country*; and

(c) the quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from each *Subject Country*.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country(ies)*, provide the following information on your firm's(s') operations on that product during calendar year 2004 (report quantity data in number of bearings and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in each *Subject Country* accounted for by your firm's(s') production; and

(b) the quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from each *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for each *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in each *Subject Country* after 1998, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to

the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among each *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in each *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Products* and *Domestic Industries*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: These reviews are being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

By order of the Commission.

Issued: May 23, 2005.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 05-10885 Filed 5-31-05; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-718 (Second Review)]

Glycine From China

AGENCY: United States International Trade Commission.

ACTION: Institution of a five-year review concerning the antidumping duty order on glycine from China.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on glycine from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;¹ to be assured of

¹ No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117-0016/USITC No. 05-5-127, expiration date June 30, 2005. Public reporting burden for the request is estimated to average 10 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

consideration, the deadline for responses is July 21, 2005. Comments on the adequacy of responses may be filed with the Commission by August 16, 2005. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT:

Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background. On March 29, 1995, the Department of Commerce issued an antidumping duty order on imports of glycine from China (60 FR 16116). Following five-year reviews by Commerce and the Commission, effective July 25, 2000, Commerce issued a continuation of the antidumping duty order on imports of glycine from China (65 FR 45752). The Commission is now conducting a second review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

Definitions. The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) The *Subject Country* in this review is China.

(3) The *Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination, the Commission defined the *Domestic Like Product* as all glycine, regardless of grade. In its expedited five-year review determination, the Commission continued to define the *Domestic Like Product* as all glycine, coextensively with Commerce's scope.

(4) The *Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination and its expedited five-year review determination, the Commission defined the *Domestic Industry* as all domestic producers of glycine.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the review and public service list. Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission is seeking guidance as to whether a second transition five-year review is the "same particular matter" as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was "personal and substantial." However, any informal

consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202-205-3088.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list. Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties authorized to receive BPI under the APO.

Certification. Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written submissions. Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is July 21, 2005. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is August 16, 2005. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary

by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response).

Inability to provide requested information. Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determination in the review.

Information to be Provided in Response to this Notice of Institution: As used below, the term "firm" includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name, telephone number, fax number, and E-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this review by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of

subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries after 1999.

(7) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2004 (report quantity data in pounds and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) The quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s); and

(c) The quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2004 (report quantity data in pounds and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country*; and

(c) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2004 (report quantity data in pounds and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise* in the *Subject Country* accounted for by your firm's(s') production; and

(b) The quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* after 1999, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

By order of the Commission.

Issued: May 23, 2005.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 05-10884 Filed 5-31-05; 8:45 am]

BILLING CODE 7020-02-P

INTERNATIONAL TRADE COMMISSION

[Investigation No. 731-TA-464 (Second Review)]

Sparklers From China

AGENCY: United States International Trade Commission.

ACTION: Institution of a five-year review concerning the antidumping duty order on sparklers from China.

SUMMARY: The Commission hereby gives notice that it has instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. 1675(c)) (the Act) to determine whether revocation of the antidumping duty order on sparklers from China would be likely to lead to continuation or recurrence of material injury. Pursuant to section 751(c)(2) of the Act, interested parties are requested to respond to this notice by submitting the information specified below to the Commission;¹ to be assured of consideration, the deadline for responses is July 21, 2005. Comments on the adequacy of responses may be filed with the Commission by August 16, 2005. For further information concerning the conduct of this review and rules of general application, consult the Commission's Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: June 1, 2005.

FOR FURTHER INFORMATION CONTACT:

Mary Messer (202-205-3193), Office of Investigations, U.S. International Trade Commission, 500 E Street SW., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting

the Commission's TDD terminal on (202) 205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at (202) 205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this review may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

SUPPLEMENTARY INFORMATION:

Background. On June 18, 1991, the Department of Commerce issued an antidumping duty order on imports of sparklers from China (56 FR 27946). Following five-year reviews by Commerce and the Commission, effective July 13, 2000, Commerce issued a continuation of the antidumping duty order on imports of sparklers from China (65 FR 52985, August 31, 2000). The Commission is now conducting a second review to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. It will assess the adequacy of interested party responses to this notice of institution to determine whether to conduct a full review or an expedited review. The Commission's determination in any expedited review will be based on the facts available, which may include information provided in response to this notice.

Definitions. The following definitions apply to this review:

(1) *Subject Merchandise* is the class or kind of merchandise that is within the scope of the five-year review, as defined by the Department of Commerce.

(2) *The Subject Country* in this review is China.

(3) *The Domestic Like Product* is the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the *Subject Merchandise*. In its original determination and in its full five-year review determination, the Commission defined the *Domestic Like Product* as all domestically produced sparklers.

(4) *The Domestic Industry* is the U.S. producers as a whole of the *Domestic Like Product*, or those producers whose collective output of the *Domestic Like Product* constitutes a major proportion of the total domestic production of the product. In its original determination and its full five-year review determination, the Commission defined the *Domestic Industry* as all domestic producers of sparklers.

(5) An *Importer* is any person or firm engaged, either directly or through a parent company or subsidiary, in importing the *Subject Merchandise* into the United States from a foreign manufacturer or through its selling agent.

Participation in the review and public service list. Persons, including industrial users of the *Subject Merchandise* and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in the review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11(b)(4) of the Commission's rules, no later than 21 days after publication of this notice in the **Federal Register**. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Former Commission employees who are seeking to appear in Commission five-year reviews are reminded that they are required, pursuant to 19 CFR 201.15, to seek Commission approval if the matter in which they are seeking to appear was pending in any manner or form during their Commission employment. The Commission is seeking guidance as to whether a second transition five-year review is the "same particular matter" as the underlying original investigation for purposes of 19 CFR 201.15 and 18 U.S.C. 207, the post employment statute for Federal employees. Former employees may seek informal advice from Commission ethics officials with respect to this and the related issue of whether the employee's participation was "personal and substantial." However, any informal consultation will not relieve former employees of the obligation to seek approval to appear from the Commission under its rule 201.15. For ethics advice, contact Carol McCue Verratti, Deputy Agency Ethics Official, at 202-205-3088.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and APO service list. Pursuant to section 207.7(a) of the Commission's rules, the Secretary will make BPI submitted in this review available to authorized applicants under the APO issued in the review, provided that the application is made no later than 21 days after publication of this notice in the **Federal Register**. Authorized applicants must represent interested parties, as defined in 19 U.S.C. 1677(9), who are parties to the review. A separate service list will be maintained by the Secretary for those parties

¹ No response to this request for information is required if a currently valid Office of Management and Budget (OMB) number is not displayed; the OMB number is 3117-0016/USITC No. 05-5-128, expiration date June 30, 2005. Public reporting burden for the request is estimated to average 10 hours per response. Please send comments regarding the accuracy of this burden estimate to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

authorized to receive BPI under the APO.

Certification. Pursuant to section 207.3 of the Commission's rules, any person submitting information to the Commission in connection with this review must certify that the information is accurate and complete to the best of the submitter's knowledge. In making the certification, the submitter will be deemed to consent, unless otherwise specified, for the Commission, its employees, and contract personnel to use the information provided in any other reviews or investigations of the same or comparable products which the Commission conducts under Title VII of the Act, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

Written submissions. Pursuant to section 207.61 of the Commission's rules, each interested party response to this notice must provide the information specified below. The deadline for filing such responses is July 21, 2005. Pursuant to section 207.62(b) of the Commission's rules, eligible parties (as specified in Commission rule 207.62(b)(1)) may also file comments concerning the adequacy of responses to the notice of institution and whether the Commission should conduct an expedited or full review. The deadline for filing such comments is August 16, 2005. All written submissions must conform with the provisions of sections 201.8 and 207.3 of the Commission's rules and any submissions that contain BPI must also conform with the requirements of sections 201.6 and 207.7 of the Commission's rules. The Commission's rules do not authorize filing of submissions with the Secretary by facsimile or electronic means, except to the extent permitted by section 201.8 of the Commission's rules, as amended, 67 FR 68036 (November 8, 2002). Also, in accordance with sections 201.16(c) and 207.3 of the Commission's rules, each document filed by a party to the review must be served on all other parties to the review (as identified by either the public or APO service list as appropriate), and a certificate of service must accompany the document (if you are not a party to the review you do not need to serve your response).

Inability to provide requested information. Pursuant to section 207.61(c) of the Commission's rules, any interested party that cannot furnish the information requested by this notice in the requested form and manner shall notify the Commission at the earliest possible time, provide a full explanation of why it cannot provide the requested information, and indicate alternative

forms in which it can provide equivalent information. If an interested party does not provide this notification (or the Commission finds the explanation provided in the notification inadequate) and fails to provide a complete response to this notice, the Commission may take an adverse inference against the party pursuant to section 776(b) of the Act in making its determination in the review.

Information to be Provided in Response to this Notice of Institution: As used below, the term "firm" includes any related firms.

(1) The name and address of your firm or entity (including World Wide Web address if available) and name, telephone number, fax number, and E-mail address of the certifying official.

(2) A statement indicating whether your firm/entity is a U.S. producer of the *Domestic Like Product*, a U.S. union or worker group, a U.S. importer of the *Subject Merchandise*, a foreign producer or exporter of the *Subject Merchandise*, a U.S. or foreign trade or business association, or another interested party (including an explanation). If you are a union/worker group or trade/business association, identify the firms in which your workers are employed or which are members of your association.

(3) A statement indicating whether your firm/entity is willing to participate in this review by providing information requested by the Commission.

(4) A statement of the likely effects of the revocation of the antidumping duty order on the *Domestic Industry* in general and/or your firm/entity specifically. In your response, please discuss the various factors specified in section 752(a) of the Act (19 U.S.C. 1675a(a)) including the likely volume of subject imports, likely price effects of subject imports, and likely impact of imports of *Subject Merchandise* on the *Domestic Industry*.

(5) A list of all known and currently operating U.S. producers of the *Domestic Like Product*. Identify any known related parties and the nature of the relationship as defined in section 771(4)(B) of the Act (19 U.S.C. 1677(4)(B)).

(6) A list of all known and currently operating U.S. importers of the *Subject Merchandise* and producers of the *Subject Merchandise* in the *Subject Country* that currently export or have exported *Subject Merchandise* to the United States or other countries after 1999.

(7) If you are a U.S. producer of the *Domestic Like Product*, provide the following information on your firm's operations on that product during calendar year 2004 (report quantity data

in number of sparklers and value data in U.S. dollars, f.o.b. plant). If you are a union/worker group or trade/business association, provide the information, on an aggregate basis, for the firms in which your workers are employed/which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total U.S. production of the *Domestic Like Product* accounted for by your firm's(s') production;

(b) The quantity and value of U.S. commercial shipments of the *Domestic Like Product* produced in your U.S. plant(s); and

(c) The quantity and value of U.S. internal consumption/company transfers of the *Domestic Like Product* produced in your U.S. plant(s).

(8) If you are a U.S. importer or a trade/business association of U.S. importers of the *Subject Merchandise* from the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2004 (report quantity data in number of sparklers and value data in U.S. dollars). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) The quantity and value (landed, duty-paid but not including antidumping duties) of U.S. imports and, if known, an estimate of the percentage of total U.S. imports of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') imports;

(b) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. commercial shipments of *Subject Merchandise* imported from the *Subject Country*; and

(c) The quantity and value (f.o.b. U.S. port, including antidumping duties) of U.S. internal consumption/company transfers of *Subject Merchandise* imported from the *Subject Country*.

(9) If you are a producer, an exporter, or a trade/business association of producers or exporters of the *Subject Merchandise* in the *Subject Country*, provide the following information on your firm's(s') operations on that product during calendar year 2004 (report quantity data in number of sparklers and value data in U.S. dollars, landed and duty-paid at the U.S. port but not including antidumping duties). If you are a trade/business association, provide the information, on an aggregate basis, for the firms which are members of your association.

(a) Production (quantity) and, if known, an estimate of the percentage of total production of *Subject Merchandise*

in the *Subject Country* accounted for by your firm's(s') production; and

(b) The quantity and value of your firm's(s') exports to the United States of *Subject Merchandise* and, if known, an estimate of the percentage of total exports to the United States of *Subject Merchandise* from the *Subject Country* accounted for by your firm's(s') exports.

(10) Identify significant changes, if any, in the supply and demand conditions or business cycle for the *Domestic Like Product* that have occurred in the United States or in the market for the *Subject Merchandise* in the *Subject Country* after 1999, and significant changes, if any, that are likely to occur within a reasonably foreseeable time. Supply conditions to consider include technology; production methods; development efforts; ability to increase production (including the shift of production facilities used for other products and the use, cost, or availability of major inputs into production); and factors related to the ability to shift supply among different national markets (including barriers to importation in foreign markets or changes in market demand abroad). Demand conditions to consider include end uses and applications; the existence and availability of substitute products; and the level of competition among the *Domestic Like Product* produced in the United States, *Subject Merchandise* produced in the *Subject Country*, and such merchandise from other countries.

(11) (Optional) A statement of whether you agree with the above definitions of the *Domestic Like Product* and *Domestic Industry*; if you disagree with either or both of these definitions, please explain why and provide alternative definitions.

Authority: This review is being conducted under authority of title VII of the Tariff Act of 1930; this notice is published pursuant to section 207.61 of the Commission's rules.

By order of the Commission.

Issued: May 23, 2005.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 05-10883 Filed 5-31-05; 8:45 am]

BILLING CODE 7020-02-P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated February 9, 2005, and published in the **Federal Register** on February 15, 2005, (70 FR 7760),

Clariant LSM (Missouri) Inc., 2460 W. Bennett Street, Springfield, Missouri 65807-1229, (Mailing Address: P.O. Box 1246, Springfield, Missouri 65801) made application to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of Methylphenidate (1724), a basic class of controlled substance listed in Schedule II.

The company plans to manufacture the listed controlled substance in bulk for research purposes.

No comments or objections have been received. DEA has considered the factors in 21 U.S.C. 823(a) and determined that the registration of Clariant LSM (Missouri) Inc. to manufacture the listed basic class of controlled substance is consistent with the public interest at this time. DEA has investigated Clariant LSM (Missouri) Inc. to ensure that the company's registration is consistent with the public interest. The investigation has included inspection and testing of the company's physical security systems, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. 823, and in accordance with 21 CFR 1301.33, the above named company is granted registration as a bulk manufacturer of the basic class of controlled substance listed.

Dated: May 25, 2005.

William J. Walker,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 05-10787 Filed 5-31-05; 8:45 am]

BILLING CODE 4410-09-P

DEPARTMENT OF JUSTICE

Parole Commission

Public Announcement Pursuant to the Government in the Sunshine Act (Pub. L. 94-409) (5 U.S.C. 552b)

DATE AND TIME: 10:30 a.m., Thursday, June 2, 2005.

PLACE: U.S. Parole Commission, 5550 Friendship Boulevard, 4th Floor, Chevy Chase, Maryland 20815.

STATUS: Closed—Meeting.

MATTERS TO BE CONSIDERED: The following matter will be considered during the closed portion of the Commission's Business Meeting:

Case deliberations or review of two original jurisdiction cases conducted pursuant to 28 CFR Sec. 2.17 and 28 CFR Sec. 2.27.

AGENCY CONTACT: Thomas W. Hutchison, Chief of Staff, United States Parole Commission, (301) 492-5990.

Dated: May 26, 2005.

Rockne Chickinell,
General Counsel.

[FR Doc. 05-10943 Filed 5-27-05; 10:40 am]

BILLING CODE 4410-31-M

DEPARTMENT OF JUSTICE

Parole Commission

Public Announcement Pursuant to the Government in the Sunshine Act (Pub. L. 94-409) (5 U.S.C. 552b)

TIME AND DATE: 9:30 a.m., Thursday, June 2, 2005.

PLACE: 5550 Friendship Blvd., Fourth Floor, Chevy Chase, MD 20815.

STATUS: Open.

MATTERS TO BE CONSIDERED: The following matters have been placed on the agenda for the open Parole Commission meeting:

1. Approval of Minutes of Previous Commission Meeting.

2. Reports from the Chairman, Commissioners, Legal, Chief of Staff, Case Operations, and Administrative Sections.

AGENCY CONTACT: Thomas W. Hutchison, Chief of Staff, United States Parole Commission, (301) 492-5990.

Dated: May 26, 2005.

Rockne Chickinell,
General Counsel, U.S. Parole Commission.

[FR Doc. 05-10944 Filed 5-27-05; 10:40 am]

BILLING CODE 4410-31-M

DEPARTMENT OF LABOR

Employment and Training Administration

Solicitation for Grant Applications (SGA); Prisoner Re-Entry Initiative

AGENCY: Employment and Training Administration (ETA), Labor.

ACTION: Notice; additional information and correction.

SUMMARY: The Employment and Training Administration published a document in the **Federal Register** on April 1, 2005, concerning the availability of grant funds for eligible faith-based and community organizations under the Prisoner Re-Entry Initiative: SGA/DFA PY-04-08. This is to make the following clarifications and corrections to SGA/DFA PY-04-08:

1. The SGA intended that Workforce Investment Boards (WIBs) would have a

supportive role in this project rather than be the lead agency, and this is to provide clarification that WIBs are not eligible applicants for this SGA. Further, the requirement for a letter of support from the WIB is intended simply to demonstrate that the WIB will play a supportive role in the project by providing employment services for released prisoners in One-Stop Centers. DOL encourages WIBs to work with any faith-based or community organization (FBCO) that wishes to apply for these grants. FBCOs who have not received a letter from the WIB may instead demonstrate in its proposal the steps that they have taken to secure such a letter.

2. Page 16855 of the SGA indicates that applicants should limit the share of funds for program administration, including technical assistance and oversight, to 10 percent of the amount for which they are applying. We are modifying this to 15 percent of the amount for which you are applying.

3. Page 16859 of the SGA indicates that an FBCO can be listed as a sub-grantee in more than one application, but that they will only be able to receive a sub-grant award from one grant. This was too restrictive and there are instances in which it would be appropriate for an FBCO or other organization to be awarded a sub-grant in two or more grants. The SGA is now modified to allow an FBCO or other organization to receive a sub-grant award in more than one grant.

4. Page 16860 of the SGA indicates that applicants may apply online at <http://www.grants.gov>. The mandatory form SF 424A has just been added for download. If you have previously downloaded the application package, please download the package again. If you do not download the package with the SF 424A, Grants.gov will reject your application submission with errors.

FOR FURTHER INFORMATION CONTACT: Marsha Daniels, Grants Management Specialist, Division of Federal Assistance, on (202) 693-3504.

Signed at Washington, DC, this 26th day of May, 2005.

Eric D. Luetkenhaus,
Grant Officer.

[FR Doc. E5-2765 Filed 5-31-05; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

Program Year (PY) 2005 Wagner-Peyser Act Final Planning Allotments

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: This Notice announces PY 2005 final planning allotments for PY 2005 (July 1, 2005 through June 30, 2006) for basic labor exchange activities provided under the Wagner-Peyser Act.

ADDRESSES: Address all comments concerning this notice to Anthony D. Dais, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room S-4231, Washington, DC 20210; or transmit via fax 202-693-3015 (this is not a toll-free number).

FOR FURTHER INFORMATION CONTACT:

Anthony D. Dais, at phone number (202) 693-2784 (this is not a toll free number) or E-mail address: dais.anthony@dol.gov.

SUPPLEMENTARY INFORMATION: In accordance with section 6(b)(5) of the Wagner-Peyser Act, 29 U.S.C. 49e(b)(5), the Employment and Training Administration is publishing final planning allotments for each state for PY 2005 (July 1, 2005, through June 30, 2006). Preliminary planning estimates were published in **Federal Register** Volume 70, No. 57, page 15515 on March 25, 2005. Funds are distributed in accordance with formula criteria established in section 6(a) and (b) of the Wagner-Peyser Act. Civilian labor force (CLF) and unemployment data for Calendar Year 2004 are used in making the formula calculations.

The total amount of funds currently available for distribution is

\$746,301,440. The Secretary of Labor shall set aside up to 3 percent of the total available funds to assure that each state will have sufficient resources to maintain statewide One-Stop Career Centers' labor exchange activities, as required by section 6(b)(4) of the Act, 29 U.S.C. 49e(b)(4). In accordance with this provision, \$21,849,043 is set aside for administrative formula allocation. These funds are included in the total planning allotment. The funds that are set aside are distributed in two steps to states, which have lost in relative share of resources from the prior year. In Step 1, states which have a CLF below one million and are below the median CLF density are maintained at 100 percent of their relative share of prior year resources. The remainder is distributed in Step 2 to all other states losing in relative share from the prior year, but which do not meet the size and density criteria for Step 1.

Postage costs incurred by states during the conduct of the Wagner-Peyser funded labor exchange activities are billed directly to the Department of Labor by the U.S. Postal Service. The total final planning allotment reflects \$18,000,000, or 2.1 percent of the total amount available, withheld from distribution to finance postage costs. Pursuant to Section 7(b) of the Act, 29 U.S.C. 49f(b), ten percent of the total sums allotted to each state shall be reserved for use by the Governor to provide performance incentives for One-Stop Career Centers and programs; services for groups with special needs; and for the extra costs of exemplary models for delivering job services.

Differences between preliminary planning estimates and final planning allotments are caused by the use of calendar year 2004 data as opposed to the earlier data (12 months ending September 2004) used for preliminary planning estimates.

Dated at Washington, DC, this 18th day of May, 2005.

Emily Stover DeRocco,

Assistant Secretary, Employment and Training Administration.

BILLING CODE 4510-30-P

U. S. Department of Labor
Employment and Training Administration
Employment Service (Wagner-Peyser)
PY 2005 Final vs PY 2005 Preliminary Allotments

| | Preliminary PY 2005 | Final PY 2005 | Difference | % % Difference |
|----------------------|------------------------|----------------------|------------|-------------------|
| Total | \$746,301,440 | \$746,301,440 | \$0 | 0.00% |
| Alabama | 10,291,582 | 10,242,761 | (48,821) | -0.47% |
| Alaska | 7,916,984 | 7,916,984 | 0 | 0.00% |
| Arizona | 12,437,397 | 12,422,025 | (15,372) | -0.12% |
| Arkansas | 5,999,062 | 5,996,331 | (2,731) | -0.05% |
| California | 85,330,345 | 85,114,497 | (215,848) | -0.25% |
| Colorado | 11,346,734 | 11,432,109 | 85,375 | 0.75% |
| Connecticut | 8,006,355 | 7,992,973 | (13,382) | -0.17% |
| Delaware | 2,034,273 | 2,034,273 | 0 | 0.00% |
| District of Columbia | 3,003,706 | 2,976,875 | (26,831) | -0.89% |
| Florida | 36,285,061 | 36,303,665 | 18,604 | 0.05% |
| Georgia | 18,919,518 | 18,930,767 | 11,249 | 0.06% |
| Hawaii | 2,875,776 | 2,849,696 | (26,080) | -0.91% |
| Idaho | 6,596,257 | 6,596,257 | 0 | 0.00% |
| Illinois | 30,855,379 | 30,798,078 | (57,301) | -0.19% |
| Indiana | 14,126,353 | 14,124,883 | (1,470) | -0.01% |
| Iowa | 6,856,295 | 7,053,558 | 197,263 | 2.88% |
| Kansas | 6,381,955 | 6,619,274 | 237,319 | 3.72% |
| Kentucky | 9,423,146 | 9,370,177 | (52,969) | -0.56% |
| Louisiana | 10,223,249 | 10,162,468 | (60,781) | -0.59% |
| Maine | 3,922,731 | 3,922,731 | 0 | 0.00% |
| Maryland | 12,798,998 | 12,733,369 | (65,629) | -0.51% |
| Massachusetts | 15,531,416 | 15,479,421 | (51,995) | -0.33% |
| Michigan | 24,843,396 | 25,167,719 | 324,323 | 1.31% |
| Minnesota | 12,709,038 | 12,693,219 | (15,819) | -0.12% |
| Mississippi | 6,631,569 | 6,616,615 | (14,954) | -0.23% |
| Missouri | 13,759,480 | 13,867,428 | 107,948 | 0.78% |
| Montana | 5,390,495 | 5,390,495 | 0 | 0.00% |
| Nebraska | 6,478,316 | 6,478,316 | 0 | 0.00% |
| Nevada | 5,112,872 | 5,100,944 | (11,928) | -0.23% |
| New Hampshire | 3,029,170 | 3,019,126 | (10,044) | -0.33% |
| New Jersey | 20,040,447 | 19,943,118 | (97,329) | -0.49% |
| New Mexico | 6,049,083 | 6,049,083 | 0 | 0.00% |
| New York | 44,337,365 | 44,216,001 | (121,364) | -0.27% |
| North Carolina | 20,084,196 | 20,031,176 | (53,020) | -0.26% |
| North Dakota | 5,489,137 | 5,489,137 | 0 | 0.00% |
| Ohio | 27,457,702 | 27,668,611 | 210,909 | 0.77% |
| Oklahoma | 7,601,041 | 7,587,847 | (13,194) | -0.17% |
| Oregon | 9,509,382 | 9,500,546 | (8,836) | -0.09% |
| Pennsylvania | 28,757,855 | 28,761,211 | 3,356 | 0.01% |
| Puerto Rico | 9,229,661 | 9,131,886 | (97,775) | -1.06% |
| Rhode Island | 2,565,691 | 2,510,612 | (55,079) | -2.15% |
| South Carolina | 9,881,322 | 9,995,912 | 114,590 | 1.16% |
| South Dakota | 5,073,224 | 5,073,224 | 0 | 0.00% |
| Tennessee | 13,167,365 | 13,161,637 | (5,728) | -0.04% |
| Texas | 51,931,544 | 51,929,829 | (1,715) | 0.00% |
| Utah | 9,046,415 | 8,965,607 | (80,808) | -0.89% |
| Vermont | 2,376,588 | 2,376,588 | 0 | 0.00% |
| Virginia | 15,618,664 | 15,601,885 | (16,779) | -0.11% |
| Washington | 15,644,328 | 15,617,015 | (27,313) | -0.17% |
| West Virginia | 5,806,806 | 5,806,806 | 0 | 0.00% |
| Wisconsin | 13,805,317 | 13,765,276 | (40,041) | -0.29% |
| Wyoming | 3,936,053 | 3,936,053 | 0 | 0.00% |
| State Total | 726,526,094 | 726,526,094 | 0 | 0.00% |
| Guam | 340,789 | 340,789 | 0 | 0.00% |
| Virgin Islands | 1,434,557 | 1,434,557 | 0 | 0.00% |
| Postage | 18,000,000 | 18,000,000 | 0 | 0.00% |

Attachment I

U. S. Department of Labor
Employment and Training Administration
Employment Service (Wagner-Peyser)
Final PY 2005 Allotments to States

| State | Amount |
|---------------------------|----------------------|
| Total..... | \$746,301,440 |
| Alabama..... | 10,242,761 |
| Alaska..... | 7,916,984 |
| Arizona..... | 12,422,025 |
| Arkansas..... | 5,996,331 |
| California..... | 85,114,497 |
| Colorado..... | 11,432,109 |
| Connecticut..... | 7,992,973 |
| Delaware..... | 2,034,273 |
| District of Columbia..... | 2,976,875 |
| Florida..... | 36,303,665 |
| Georgia..... | 18,930,767 |
| Hawaii..... | 2,849,696 |
| Idaho..... | 6,596,257 |
| Illinois..... | 30,798,078 |
| Indiana..... | 14,124,883 |
| Iowa..... | 7,053,558 |
| Kansas..... | 6,619,274 |
| Kentucky..... | 9,370,177 |
| Louisiana..... | 10,162,468 |
| Maine..... | 3,922,731 |
| Maryland..... | 12,733,369 |
| Massachusetts..... | 15,479,421 |
| Michigan..... | 25,167,719 |
| Minnesota..... | 12,693,219 |
| Mississippi..... | 6,616,615 |
| Missouri..... | 13,867,428 |
| Montana..... | 5,390,495 |
| Nebraska..... | 6,478,316 |
| Nevada..... | 5,100,944 |
| New Hampshire..... | 3,019,126 |
| New Jersey..... | 19,943,118 |
| New Mexico..... | 6,049,083 |
| New York..... | 44,216,001 |
| North Carolina..... | 20,031,176 |
| North Dakota..... | 5,489,137 |
| Ohio..... | 27,668,611 |
| Oklahoma..... | 7,587,847 |
| Oregon..... | 9,500,546 |
| Pennsylvania..... | 28,761,211 |
| Puerto Rico..... | 9,131,886 |
| Rhode Island..... | 2,510,612 |
| South Carolina..... | 9,995,912 |
| South Dakota..... | 5,073,224 |
| Tennessee..... | 13,161,637 |
| Texas..... | 51,929,829 |
| Utah..... | 8,965,607 |
| Vermont..... | 2,376,588 |
| Virginia..... | 15,601,885 |
| Washington..... | 15,617,015 |
| West Virginia..... | 5,806,806 |
| Wisconsin..... | 13,765,276 |
| Wyoming..... | 3,936,053 |
| State Total..... | 726,526,094 |
| Guam..... | 340,789 |
| Virgin Islands..... | 1,434,557 |
| Postage..... | 18,000,000 |

Attachment II

U. S. Department of Labor
Employment and Training Administration
Employment Service (Wagner-Peyser)
Final PY 2005 Allotments to States

| State | Basic Formula | 3% Distribution | | Total | Total Allotment |
|---------------------------|------------------|-----------------|--------------|--------------|--------------------|
| | | Step 1* | Step 2** | | |
| Alabama..... | \$9,759,315 | \$0 | \$483,446 | \$483,446 | \$10,242,761 |
| Alaska..... | 6,911,004 | 1,005,980 | 0 | 1,005,980 | 7,916,984 |
| Arizona..... | 12,144,995 | 0 | 277,030 | 277,030 | 12,422,025 |
| Arkansas..... | 5,973,040 | 0 | 23,291 | 23,291 | 5,996,331 |
| California..... | 82,887,920 | 0 | 2,226,577 | 2,226,577 | 85,114,497 |
| Colorado..... | 11,432,109 | 0 | 0 | 0 | 11,432,109 |
| Connecticut..... | 7,826,105 | 0 | 166,868 | 166,868 | 7,992,973 |
| Delaware..... | 1,973,096 | 0 | 61,177 | 61,177 | 2,034,273 |
| District of Columbia..... | 2,638,415 | 0 | 338,460 | 338,460 | 2,976,875 |
| Florida..... | 36,303,665 | 0 | 0 | 0 | 36,303,665 |
| Georgia..... | 18,800,873 | 0 | 129,894 | 129,894 | 18,930,767 |
| Hawaii..... | 2,525,696 | 0 | 324,000 | 324,000 | 2,849,696 |
| Idaho..... | 5,758,097 | 838,160 | 0 | 838,160 | 6,596,257 |
| Illinois..... | 30,137,915 | 0 | 660,163 | 660,163 | 30,798,078 |
| Indiana..... | 14,098,143 | 0 | 26,740 | 26,740 | 14,124,883 |
| Iowa..... | 7,053,558 | 0 | 0 | 0 | 7,053,558 |
| Kansas..... | 6,619,274 | 0 | 0 | 0 | 6,619,274 |
| Kentucky..... | 8,801,246 | 0 | 568,931 | 568,931 | 9,370,177 |
| Louisiana..... | 9,421,837 | 0 | 740,631 | 740,631 | 10,162,468 |
| Maine..... | 3,424,286 | 498,445 | 0 | 498,445 | 3,922,731 |
| Maryland..... | 12,043,018 | 0 | 690,351 | 690,351 | 12,733,369 |
| Massachusetts..... | 15,003,646 | 0 | 475,775 | 475,775 | 15,479,421 |
| Michigan..... | 25,167,719 | 0 | 0 | 0 | 25,167,719 |
| Minnesota..... | 12,693,219 | 0 | 0 | 0 | 12,693,219 |
| Mississippi..... | 6,263,750 | 0 | 352,865 | 352,865 | 6,616,615 |
| Missouri..... | 13,867,428 | 0 | 0 | 0 | 13,867,428 |
| Montana..... | 4,705,547 | 684,948 | 0 | 684,948 | 5,390,495 |
| Nebraska..... | 5,655,142 | 823,174 | 0 | 823,174 | 6,478,316 |
| Nevada..... | 4,961,115 | 0 | 139,829 | 139,829 | 5,100,944 |
| New Hampshire..... | 2,933,256 | 0 | 85,870 | 85,870 | 3,019,126 |
| New Jersey..... | 19,056,952 | 0 | 886,166 | 886,166 | 19,943,118 |
| New Mexico..... | 5,280,450 | 768,633 | 0 | 768,633 | 6,049,083 |
| New York..... | 43,122,128 | 0 | 1,093,873 | 1,093,873 | 44,216,001 |
| North Carolina..... | 19,302,688 | 0 | 728,488 | 728,488 | 20,031,176 |
| North Dakota..... | 4,791,654 | 697,483 | 0 | 697,483 | 5,489,137 |
| Ohio..... | 27,668,611 | 0 | 0 | 0 | 27,668,611 |
| Oklahoma..... | 7,428,793 | 0 | 159,054 | 159,054 | 7,587,847 |
| Oregon..... | 9,369,192 | 0 | 131,354 | 131,354 | 9,500,546 |
| Pennsylvania..... | 28,469,772 | 0 | 291,439 | 291,439 | 28,761,211 |
| Puerto Rico..... | 8,093,623 | 0 | 1,038,263 | 1,038,263 | 9,131,886 |
| Rhode Island..... | 2,491,813 | 0 | 18,799 | 18,799 | 2,510,612 |
| South Carolina..... | 9,995,912 | 0 | 0 | 0 | 9,995,912 |
| South Dakota..... | 4,428,590 | 644,634 | 0 | 644,634 | 5,073,224 |
| Tennessee..... | 13,054,622 | 0 | 107,015 | 107,015 | 13,161,637 |
| Texas..... | 51,721,785 | 0 | 208,044 | 208,044 | 51,929,829 |
| Utah..... | 7,946,249 | 0 | 1,019,358 | 1,019,358 | 8,965,607 |
| Vermont..... | 2,074,605 | 301,983 | 0 | 301,983 | 2,376,588 |
| Virginia..... | 15,377,864 | 0 | 224,021 | 224,021 | 15,601,885 |
| Washington..... | 15,273,160 | 0 | 343,855 | 343,855 | 15,617,015 |
| West Virginia..... | 5,068,958 | 737,848 | 0 | 737,848 | 5,806,806 |
| Wisconsin..... | 13,439,286 | 0 | 325,990 | 325,990 | 13,765,276 |
| Wyoming..... | 3,435,915 | 500,138 | 0 | 500,138 | 3,936,053 |
| FORMULA TOTAL | 704,677,051 | 7,501,426 | 14,347,617 | 21,849,043 | 726,526,094 |
| Guam | 340,789 | 0 | 0 | 0 | 340,789 |
| Virgin Islands | 1,434,557 | 0 | 0 | 0 | 1,434,557 |
| Indicia Postage | 18,000,000 | 0 | 0 | 0 | 18,000,000 |
| NATIONAL TOTAL | \$724,452,397 | \$7,501,426 | \$14,347,617 | \$21,849,043 | \$746,301,440 |

* Funds are allocated to the 11 States whose relative share decreased from PY 2004 to the PY 2005 basic formula amount and which have a Civilian Labor Force (CLF) below one million and are below the median CLF density. These States are held harmless at 100% of their PY 2004 relative share.

** The balance of the 3% funds are distributed to the remaining 32 States losing in relative share from PY 2004 to their PY 2005 total allotment amount.

[FR Doc. 05-10840 Filed 5-31-05; 8:45 am]
BILLING CODE 4510-30-C

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. ICR 1218-0228(2005)]

Forging Machines; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Request for public comment.

SUMMARY: OSHA solicits public comment concerning its request for an extension of the information collection requirements contained in its standard on Forging Machines (29 CFR 1910.218).

DATES: Comments must be submitted by the following dates:

Hard copy: Your comments must be submitted (postmarked or received) by August 1, 2005.

Facsimile and electronic transmission: Your comments must be received by August 1, 2005.

ADDRESSES: You may submit comments, identified by OSHA Docket No. ICR-1218-0228(2005), by any of the following methods:

Regular mail, express delivery, hand delivery, and messenger service: Submit your comments and attachments to the OSHA Docket Office, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington DC 20210; telephone (202) 693-2350 (OSHA's TTY number is (877) 889-5627). OSHA Docket Office and Department of Labor hours are 8:15 a.m. to 4:45 p.m., ET.

Facsimile: If your comments are 10 pages or fewer in length, including attachments, you may fax them to the OSHA Docket Office at (202) 693-1648.

Electronic: You may submit comments through the Internet at <http://ecomments.osha.gov>. Follow the instructions on the OSHA Web page for submitting comments.

Docket: For access to the docket to read or download comments or background materials, such as the complete Information Collection Request (ICR) (containing the Supporting Statement, OMB-83-I Form, and attachments), go to OSHA's Web page at <http://www.OSHA.gov>. In addition, the ICR, comments and submissions are available for inspection and copying at the OSHA Docket Office at the address above. You also may contact Theda Kenney at the address

below to obtain a copy of the ICR. For additional information on submitting comments, please see the "Public Participation" heading in the **SUPPLEMENTARY INFORMATION** section of this document.

FOR FURTHER INFORMATION CONTACT:

Theda Kenney or Todd Owen, Directorate of Standards and Guidance, OSHA, Room N-3609, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: (202) 693-2222.

SUPPLEMENTARY INFORMATION:

I. Background

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)).

This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657).

The Standard on Forging Machines (29 CFR 1910.218) (the Standard) specifies several paperwork requirements. The following sections describe who uses the information collected under each requirement, as well as how they use it. The purpose these requirements is to reduce employees' risk of death or serious injury by ensuring that forging machines used by them are in safe operating condition, and that they are able to clearly and properly identify manually operated valves and switches.

Inspection of Forging Machines, Guards, and Point-of-Operation Protection Devices (paragraphs (a)(2)(i) and (a)(2)(ii)). Paragraph (a)(2)(i) requires employers to establish periodic and regular maintenance safety checks, and to develop and keep a certification record of each inspection. The certification record must include the date of inspection, the signature of the person who performed the inspection, and the serial number (or other identifier) of the forging machine inspected. Under paragraph (a)(2)(ii),

employers are to schedule regular and frequent inspections of guards and point-of-operation protection devices, and prepare a certification record of each inspection that contains the date of the inspection, the signature of the person who performed the inspection, and the serial number (or other identifier) of the equipment inspected. These inspection certification records provide assurance to employers, employees, and OSHA compliance officers that forging machines, guards, and point-of-operation protection devices have been inspected, assuring that they will operate properly and safely, thereby preventing impact injury and death to employees during forging operations. These records also provide the most efficient means for the compliance officers to determine that an employer is complying with the Standard.

Identification of Manually Controlled Valves and Switches (paragraphs (c), (h)(3), (i)(1) and (i)(2)). These paragraphs require proper and clear identification of manually operated valves and switches on presses, upsetters, bolthead equipment, and rivet-making machines, respectively. Marking valves and switches provide information to employees to ensure that they operate the forging machines correctly and safely.

II. Special Issues for Comment

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

III. Proposed Actions

OSHA proposes to extend the Office of Management and Budget's (OMB) approval of the collection of information (paperwork) requirements necessitated by the Standard on Forging Machines (29 CFR 1910.218). In its extension request, OSHA also is proposing to reduce the total burden hours for these requirements from 244,868 hours to 187,264 hours. The Agency will include this summary in its request to OMB to

extend the approval of the collection of information requirements.

Type of Review: Extension of currently approved information collection requirements.

Title: Forging Machines (29 CFR 1910.218).

OMB Number: 1218-0228.

Affected Public: Business or other for-profits; Not-for-profit organizations; Federal Government; State, Local, or Tribal Government.

Number of Respondents: 27,700.

Frequency of Response: Bi-weekly.

Average Time Per Response: Varies from 2 minutes (.03 hour) for an employer to disclose certification records to 8 minutes (.13 hour) for a manufacturing worker to conduct an inspection of each forging machine and guard or point-of-operation protection device bi-weekly.

Estimated Total Burden Hours: 187,264.

Estimated Cost (Operation and Maintenance): \$0.

IV. Public Participation—Submission of Comments on this Notice and Internet Access to Comments and Submissions

You may submit comments and supporting materials in response to this notice by (1) hard copy, (2) fax transmission (facsimile), or (3) electronically through the OSHA Webpage. Because of security-related problems, a significant delay may occur in the receipt of comments by regular mail. Please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for information about security procedures concerning the delivery of submissions by express delivery, hand delivery, and courier service.

All comments, submissions and background documents are available for inspection and copying at the OSHA Docket Office at the above address. Comments and submissions posted on OSHA's Webpage are available at <http://www.OSHA.gov>. Contact the OSHA Docket Office for information about materials not available through the OSHA Webpage and for assistance using the Webpage to locate docket submissions.

Electronic copies of this **Federal Register** notice as well as other relevant documents are available on OSHA's Webpage. Since all submissions become public, private information such as social security numbers should not be submitted.

V. Authority and Signature

Jonathan L. Snare, Acting Assistant Secretary of Labor for Occupational Safety and Health, directed the

preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*), and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Signed at Washington, DC, on May 24, 2005.

Jonathan L. Snare,

Acting Assistant Secretary of Labor.

[FR Doc. 05-10823 Filed 5-31-05; 8:45 am]

BILLING CODE 4510-26-M

NATIONAL SCIENCE FOUNDATION

Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

AGENCY: National Science Foundation.

ACTION: Notice of permit applications received under the Antarctic Conservation Act of 1978, Public Law 95-541.

SUMMARY: The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

DATES: Interested parties are invited to submit written data, comments, or views with respect to this permit application by July 1, 2005. This application may be inspected by interested parties at the Permit Office, address below.

ADDRESSES: Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

FOR FURTHER INFORMATION CONTACT: Nadene G. Kennedy at the above address or (703) 292-7405.

SUPPLEMENTARY INFORMATION: The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

1. Applicant

(Permit Application No. 2006-014)

W. Berry Lyons, Byrd Polar Research Center, Ohio State University, 1090 Carmack Road, Columbus, OH 43210509.

Activity for Which Permit is Requested

Take and Enter an Antarctic Specially Protected Area. The applicant proposes to enter the Canada Glacier, Lake Fryxell Antarctic Specially Protected Area (ASPA #131) to continue fieldwork associated with the Long-Term Ecological Research (LTER) program studying the McMurdo Dry Valleys. The applicant plans to continue operation of the previously installed, continuously recording stream gauge station, perform maintenance, conduct stream flow measurements, and collect water, soil and moss samples to study in-stream biogeochemical processes.

Location

Canada Glacier, Lake Fryxell (ASPA #131).

Dates

October 1, 2005 to February 28, 2011.

Nadene G. Kennedy,

Permit Officer, Office of Polar Programs.

[FR Doc. 05-10873 Filed 5-31-05; 8:45 am]

BILLING CODE 7555-01-M

NATIONAL SCIENCE FOUNDATION

Advisory Committee for International Science and Engineering; Notice of Meeting

In accordance with Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

Name: Advisory Committee for International Science and Engineering (25104).

Date/Time: June 16, 2005: 8:30 a.m. to 5:30 p.m. June 17, 2005: 8:30 a.m. to 12 noon.

Place: National Science Foundation, 4201 Wilson Boulevard, Room 730, Arlington VA.

Type of Meeting: Open.

Contact Person: John Duvall, National Science Foundation, 4201 Wilson Boulevard, Arlington VA, 22230; (703) 292-8710. If you are attending the meeting and need access to the NSF, please contact the individual listed above so that your name may be added to the building access list.

Purpose of Meeting: To provide advice, recommendations, and oversight on research, education and related activities involving the U.S. science and engineering community working within a global context and NSF's role in international science and engineering.

Agenda:
June 16, 2005.

AM: Introductions and Updates—Office of International Science and Engineering; Presentation and Discussion of 2005 Committee of Visitors Report; Discussion of Developing Country Activities.

PM: Presentation by Assistant Director of Engineering, John Brighton; Presentation by Kathie L. Olsen, Office of Science and Technology Policy.

June 17, 2005.

AM: Committee discussion; Discussion with NSF Director Arden L. Bement, Jr.

Dated: May 26, 2005.

Susanne Bolton,

Committee Management Officer.

[FR Doc. 05-10889 Filed 5-31-05; 8:45 am]

BILLING CODE 7555-01-M

NUCLEAR REGULATORY COMMISSION

The Advisory Committee on Nuclear Waste; Notice of Meeting

The Advisory Committee on Nuclear Waste (ACNW) will hold its 160th meeting on June 15-17, 2005, Room T-2B3, Two White Flint North, 11545 Rockville Pike, Rockville, Maryland. The date of this meeting was previously published in the **Federal Register** on Wednesday, December 8, 2004 (69 FR 71084).

The schedule for this meeting is as follows:

Wednesday, June 15, 2005

The Working Group Chairman will state the objectives for this Working Group Meeting and provide an overview of the planned technical sessions. Invited experts will also be introduced at this time. The purpose of this Working Group Meeting is to allow the Committee to comment on draft guidance that is being prepared to implement the License Termination Rule.

Thursday, June 16, 2005

10:15 a.m.-10:30 a.m.: *Opening Statement* (Open)—The ACNW Chairman will make opening remarks regarding the conduct of today's sessions.

10:30 a.m.-12 Noon: *Discussion on International Commission on Radiation Protection (ICRP) Foundation Documents* (Open)—The Committee will provide comments to the staff on the Committee's review of the latest ICRP Foundation Documents.

1:30 p.m.-3:30 p.m.: *Preparation of ACNW Reports/Letters* (Open)—The Committee will discuss proposed ACNW reports on matters considered during this meeting.

3:45 p.m.-5 p.m.: *Risk-Informing NMSS Activities* (Open)—The Committee will be briefed on NMSS staff approach to risk-inform decision-making for nuclear materials and waste applications.

5 p.m.-5:20 p.m.: *Draft White Paper on High-Level Waste Transportation Issues* (Open)—The Committee will discuss the elements of a proposed White Paper on the transportation of spent nuclear fuel and other high-level waste.

5:20 p.m.-5:40 p.m.: *Draft ACNW White Paper on Low-Level Waste* (Open)—The Committee will comment on the draft outline for the proposed White Paper on low-level radioactive waste management issues.

Friday, June 17, 2005

8:30 a.m.-8:40 a.m.: *Opening Remarks by the ACNW Chairman* (Open)—The ACNW Chairman will make opening remarks regarding the conduct of today's sessions.

8:40 a.m.-10 a.m.: *Report on Review of Center for Nuclear Waste Regulatory*

Analyses' (CNWRA) Research Program (Open)—The Committee will hear a report from Committee members on the CNWRA Research Program based on their visit to, and discussions with, the Center in April 2005.

10 a.m.-11 a.m.: *Discussion of Possible Letters* (Open)—The Committee will discuss prepared draft letters and determine whether letters would be written on topics discussed during the meeting.

11 a.m.-12 Noon: *Miscellaneous* (Open)—The Committee will discuss matters related to the conduct of ACNW activities, and specific issues that were not completed during previous meetings, as time and availability of information permit. Discussions may include future Committee Meetings.

Procedures for the conduct of and participation in ACNW meetings were published in the **Federal Register** on October 18, 2004 (69 FR 61416). In accordance with these procedures, oral or written statements may be presented by members of the public. Electronic recordings will be permitted only during those portions of the meeting that are open to the public. Persons desiring to make oral statements should notify Ms. Sharon A. Steele, (Telephone 301-415-6805), between 7:30 a.m. and 4 p.m. ET, as far in advance as practicable so that appropriate arrangements can be made to schedule

the necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during this meeting will be limited to selected portions of the meeting as determined by the ACNW Chairman. Information regarding the time to be set aside for taking pictures may be obtained by contacting the ACNW office prior to the meeting. In view of the possibility that the schedule for ACNW meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should notify Ms. Steele as to their particular needs.

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements and the time allotted, therefore can be obtained by contacting Ms. Steele.

ACNW meeting agenda, meeting transcripts, and letter reports are available through the NRC Public Document Room (PDR) at pdrc@nrc.gov, or by calling the PDR at 1-800-397-4209, or from the Publicly Available Records System component of NRC's document system (ADAMS) which is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> or <http://www.nrc.gov/reading-rm/doc-collections/> (ACRS & ACNW Mtg schedules/agendas).

Video Teleconferencing service is available for observing open sessions of ACNW meetings. Those wishing to use this service for observing ACNW meetings should contact Mr. Theron Brown, ACNW Audiovisual Technician (301-415-8066), between 7:30 a.m. and 3:45 p.m. ET, at least 10 days before the meeting to ensure the availability of this service.

Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the video teleconferencing link. The availability of video teleconferencing services is not guaranteed.

Dated: May 25, 2005.

Andrew L. Bates,

Advisory Committee Management Officer.

[FR Doc. E5-2762 Filed 5-31-05; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION**Advisory Committee on Nuclear Waste, Meeting on Planning and Procedures; Notice of Meeting**

The Advisory Committee on Nuclear Waste (ACNW) will hold a Planning and Procedures meeting on June 16, 2005, Room T-2B3, 11545 Rockville Pike, Rockville, Maryland. The entire meeting will be open to public attendance, with the exception of a portion that may be closed pursuant to 5 U.S.C. 552b(c)(2) and (6) to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of ACNW, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.

The agenda for the subject meeting shall be as follows:

Thursday, June 16, 2005—8:30 a.m.–10 a.m.

The Committee will discuss proposed ACNW activities and related matters. The purpose of this meeting is to gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Richard K. Major (Telephone: 301/415-7366) between 8 a.m. and 5:15 p.m. (ET) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 8:30 a.m. and 5:15 p.m. (ET). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes in the agenda.

Dated: May 25, 2005.

Michael R. Snodderly,

Acting Branch Chief, ACRS/ACNW.

[FR Doc. E5-2763 Filed 5-31-05; 8:45 am]

BILLING CODE 7590-01-P

NUCLEAR REGULATORY COMMISSION**Advisory Committee on Reactor Safeguards Joint Meeting of the ACRS Subcommittees on Reliability and Probabilistic Risk Assessment and on Plant Operations; Notice of Meeting**

The ACRS Subcommittees on Reliability and Probabilistic Risk Assessment (PRA) and on Plant Operations will hold a joint meeting on June 15, 2005, Room T-2B1, 11545 Rockville Pike, Rockville, Maryland.

The entire meeting will be open to public attendance.

The agenda for the subject meeting shall be as follows:

Wednesday, June 15, 2005—8:30 a.m. Until 12:30 p.m.

The purpose of this meeting is to discuss the status of the development of risk management technical specifications. The Subcommittees will hear the status of the Risk Management Technical Specifications Initiative 4b, which proposes to rely on PRA and risk monitors to calculate technical specification completion times for returning structures, systems, and components to operable status.

The Subcommittees will hear presentations by and hold discussions with representatives of the NRC staff, Nuclear Energy Institute, South Texas Project Nuclear Operating Company, Southern California Edison, and Electric Power Research Institute regarding this matter. The Subcommittees will gather information, analyze relevant issues and facts, and formulate proposed positions and actions, as appropriate, for deliberation by the full Committee.

Members of the public desiring to provide oral statements and/or written comments should notify the Designated Federal Official, Mr. Michael R. Snodderly (telephone: 301-415-6927) or the Cognizant Staff Engineer, Mr. John G. Lamb (telephone: 301-415-6855), five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official or the Cognizant Staff Engineer between 7:30 a.m. and 4:15 p.m. (ET). Persons planning to attend this meeting are urged to contact one of the above named individuals at least two working days prior to the meeting to be advised of any potential changes to the agenda.

Dated: May 24, 2005.

Michael L. Scott,

Branch Chief, ACRS/ACNW.

[FR Doc. E5-2764 Filed 5-31-05; 8:45 am]

BILLING CODE 7590-01-P

OFFICE OF PERSONNEL MANAGEMENT**Privacy Act of 1994; Computer Matching Programs Office of Personnel Management/Social Security Administration**

AGENCY: Office of Personnel Management (OPM).

ACTION: Publication of notice of computer matching to comply with Public Law 100-503, the Computer Matching and Privacy Act of 1988.

SUMMARY: OPM is publishing notice of its computer matching program with the Social Security Administration (SSA) to meet the reporting requirements of Pub. L. 100-503. The purpose of this match is to establish the conditions for disclosure of Social Security benefit information to OPM via direct computer link for the administration of programs by the Retirement Services Programs. OPM is legally required to offset specific benefits by a percentage of benefits payable under Title II of the Social Security Act. The matching will enable OPM to compute benefits at the correct rate and determine eligibility for benefits.

DATES: The matching program will begin 40 days after the **Federal Register** notice has been published and the letters to Congress and OMB have been issued. The matching program will continue for 18 months from the beginning date and may be extended an additional 12 months thereafter. The data exchange will begin at a date mutually agreed upon between OPM and SSA after April 2005, unless comments on the match are received that result in cancellation of the program. Subsequent matches will take place semi-annually on a recurring basis until one of the parties advises the other in writing of its intention to reevaluate, modify and/or terminate the agreement.

ADDRESSES: Send comments to Marc Flaster, Chief, RIS Support Services Group, Office of Personnel Management, Room 4316, 1900 E Street, NW., Washington, DC 20415.

FOR FURTHER INFORMATION CONTACT: James Sparrow, (202) 606-1803.

SUPPLEMENTARY INFORMATION: OPM and SSA intend to conduct a computer matching program. The purpose of this agreement is to establish the conditions

under which SSA agrees to the disclosure of benefit information to OPM. The SSA records will be used in a matching program with OPM's records on surviving spouses who may be eligible to receive a Supplementary Annuity, disability retirees, and child survivor annuitants, under the Federal Employees' Retirement System (FERS). The benefits payable to these recipients are offset if paid while also in receipt of SSA benefits.

The SSA components responsible for the disclosure are the Office of Income Security Programs. The responsible component for OPM is the Center for Retirement and Insurance Services. OPM, as the agency actually using the results of this matching activity in its programs, will publish the notice required by Title 5 United States Code (U.S.C.) 552a(e)(12) in the **Federal Register**.

Office of Personnel Management.

Dan G. Blair,
Acting Director.

Report of Computer Matching Program Between the Office of Personnel Management and Social Security Administration

A. Participating Agencies

OPM and SSA.

B. Purpose of the Matching Program

This computer matching agreement sets forth the responsibilities of the Social Security Administration (SSA) and the Office of Personnel Management (OPM) with respect to information disclosed pursuant to this agreement and is executed under the Privacy Act of 1974, 5 U.S.C. 552a, as amended, and the regulations and guidance promulgated thereunder.

C. Description of the Match and Records

SSA will disclose data from its MBR file (60-0090, Master Beneficiary Record, SSA/OEEAS) and MEF file (60-0059, Earning Recording and Self-Employment Income System, SSA/OEEAS), and manually extracted military wage information from SSA's "1086" microfilm file when required. OPM will provide SSA with a electronic finder file from the OPM System of Records published as OPM/Central-1 (Civil Service and Insurance Records), on October 8, 1999 (64 FR 54930), as amended on May 3, 2000 (65 FR 2575). The systems of records involved have routine uses permitting the disclosures needed to conduct this match.

D. Privacy Safeguards and Security

Both SSA and OPM will safeguard information provided by the reciprocal

agency as follows: Access to the records matched and to any records created by the match will be restricted to only those authorized employees and officials who need the records to perform their official duties in connection with the uses of the information authorized in the agreement. SSA and OPM will protect Federal Tax information in the same manner which IRS systems of records are protected under the Privacy Act of 1974, as amended, and in accordance with Internal Revenue Manual 1.16.8, Physical Security Standards Handbook. Either OPM or SSA may make onsite inspection or make other provisions to ensure that adequate safeguards are being maintained by the other agency.

E. Disposal of Records

Records causing closeout or suspend actions would also be annotated and returned to OPM for recordkeeping purposes. All records returned to OPM are considered "response" records and any not used in the update process must be purged by SSA immediately after all processing is completed.

[FR Doc. 05-10826 Filed 5-31-05; 8:45 am]

BILLING CODE 6325-38-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Extension of Collection of Information; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 15Ba2-5; SEC File No. 270-91; OMB Control No. 3235-0088.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

• Rule 15Ba2-5—Registration of Fiduciaries

On July 7, 1975, effective July 16, 1975 (*see* 41 FR 28948, July 14, 1975), the Commission adopted Rule 15Ba2-5 under the Securities Exchange Act of 1934 ("Exchange Act") to permit a duly-appointed fiduciary to assume immediate responsibility for the operation of a municipal securities

dealer's business. Without the rule, the fiduciary would not be able to assume operation until it registered as a municipal securities dealer. Under the rule, the registration of a municipal securities dealer is deemed to be the registration of any executor, administrator, guardian, conservator, assignee for the benefit of creditors, receiver, trustee in insolvency or bankruptcy, or other fiduciary, appointed or qualified by order, judgment, or decree of a court of competent jurisdiction to continue the business of such municipal securities dealer, provided that such fiduciary files with the Commission, within 30 days after entering upon the performance of his duties, a statement setting forth as to such fiduciary substantially the same information required by Form MSD or Form BD. The statement is necessary to ensure that the Commission and the public have adequate information about the fiduciary.

There is approximately 1 respondent per year that requires an aggregate total of 4 hours to comply with this rule. This respondent makes an estimated 1 annual response. Each response takes approximately 4 hours to complete. Thus, the total compliance burden per year is 4 burden hours. The approximate cost per hour is \$20, resulting in a total cost of compliance for the respondent of approximately \$80 (*i.e.*, 4 hours × \$20).

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct any comments or suggestions in writing to: R. Corey Booth, Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549.

Dated: May 13, 2005.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. E5-2753 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION**Proposed Collection; Comment Request**

Upon Written Request, Copies Available
From: Securities and Exchange
Commission, Office of Filings and
Information Services, Washington, DC
20549.

Extension:

Rule 17a-22; SEC File No. 270-202; OMB
Control No. 3235-0196.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

• Rule 17a-22 Supplemental Material of Registered Clearing Agencies Rule 17a-22 under the Securities Exchange Act of 1934 ("Exchange Act")¹ requires all registered clearing agencies to file with the Commission three copies of all materials they issue or make generally available to their participants or other entities with whom they have a significant relationship. The filings with the Commission must be made within ten days after the materials are issued, and when the Commission is not the appropriate regulatory agency, the clearing agency must file one copy of the material with its appropriate regulatory agency. The Commission is responsible for overseeing clearing agencies and uses the information filed pursuant to Rule 17a-22 to determine whether a clearing agency is implementing procedural or policy changes. The information filed aids the Commission in determining whether such changes are consistent with the purposes of Section 17A of the Exchange Act. Also, the Commission uses the information to determine whether a clearing agency has changed its rules without reporting the actual or prospective change to the Commission as required under Section 19(b) of the Exchange Act.

The respondents to Rule 17a-22 generally are registered clearing agencies. The frequency of filings made by clearing agencies pursuant to Rule 17a-22 varies, but on average there are approximately 200 filings per year per clearing agency. Because the filings consist of materials that have been prepared for widespread distribution,

the additional cost to the clearing agencies associated with submitting copies to the Commission is relatively small. The Commission staff estimates that the cost of compliance with Rule 17a-22 to all registered clearing agencies is approximately \$3,000. This represents one dollar per filing in postage, or a total of \$2,000. The remaining \$1,000 is the estimated cost of additional printing, envelopes, and other administrative expenses.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Chief Information Officer, 450 5th Street, NW., Washington, DC 20549.

Dated: May 13, 2005.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. E5-2754 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION**Proposed Collection; Comment Request**

Upon Written Request, Copies Available
From: Securities and Exchange
Commission, Office of Filings and
Information Services, Washington, DC
20549.

Extension:

Rule 15c2-5; SEC File No. 270-195; OMB
Control No. 3235-0198.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval. The Code of Federal

Regulations citation to this collection of information is the following rule: 17 CFR 240.15c2-5.

Rule 15c2-5 prohibits a broker-dealer from arranging or extending certain loans to persons in connection with the offer or sale of securities unless, before any element of the transaction is entered into, the broker-dealer: (1) Delivers to the person a written statement containing the exact nature and extent of the person's obligations under the loan arrangement; the risks and disadvantages of the loan arrangement; and all commissions, discounts, and other remuneration received and to be received in connection with the transaction by the broker-dealer or certain related persons (unless the person receives certain materials from the lender or broker-dealer which contain the required information); and (2) obtains from the person information on the person's financial situation and needs, reasonably determines that the transaction is suitable for the person, and retains on file and makes available to the person on request a written statement setting forth the broker-dealer's basis for determining that the transaction was suitable.

The collection of information required by the Rule is necessary to execute the Commission's mandate under the Securities Exchange Act of 1934 ("Exchange Act") to prevent fraudulent, manipulative, and deceptive acts and practices by broker-dealers.

There are approximately 50 respondents that require an aggregate total of 600 hours to comply with the Rule. Each of these approximately 50 registered broker-dealers makes an estimated 6 annual responses, for an aggregate total of 300 responses per year. Each response takes approximately 2 hours to complete. Thus, the total compliance burden per year is 600 burden hours. The approximate cost per hour is \$25.00 (based on an annual salary of \$52,000 for clerical labor), resulting in a total compliance cost of \$15,000 (600 hours @ \$25.00 per hour).

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given

¹ 15 U.S.C. 78a *et seq.*

to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: May 13, 2005.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. E5-2755 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available
From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 17Ad-17; SEC File No. 270-412;
OMB Control No. 3235-0469.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

- Rule 17Ad-17 Transfer Agents' Obligation to Search for Lost Securityholders

Rule 17Ad-17 requires approximately 825 registered transfer agents to conduct searches using third party database vendors to attempt to locate lost securityholders. These recordkeeping requirements assist the Commission and other regulatory agencies with monitoring transfer agents and ensuring compliance with the rule.

The staff estimates that the average number of hours necessary for each transfer agent to comply with Rule 17Ad-17 is five hours annually. The total burden is 4,125 hours annually for all transfer agents. The cost of compliance for each individual transfer agent depends on the number of lost accounts at each transfer agent. Based on information received from transfer agents, we estimate that the annual cost industry wide is \$3.3 million.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper

performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Chief Information Officer, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: May 13, 2005.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. E5-2756 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available
From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Form BDW, SEC File No. 270-17; OMB Control No. 3235-0018.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Fully registered broker-dealers and notice-registered broker-dealers use Form BDW (17 CFR 249.501a) to withdraw from registration with the Commission, the self-regulatory organizations, and the states. It is estimated that approximately 900 fully registered broker-dealers annually will incur an average burden of 15 minutes, or 0.25 hours, to file for withdrawal on Form BDW via the internet with Web CRD, a computer system operated by the National Association of Securities Dealers, Inc. that maintains information

regarding fully registered broker-dealers and their registered personnel. It is further estimated that 140 futures commission merchants that are notice-registered broker-dealers annually will incur an average burden of 15 minutes, or 0.25 hours, to file for withdrawal on Form BDW by sending the completed Form BDW to the National Futures Association, which maintains information regarding notice-registered broker-dealers on behalf of the Commission. The annualized compliance burden per year is 260 hours [1,040 (900 fully registered broker-dealers + 140 notice-registered broker-dealers) × .25 = 260 hours]. The annualized cost to respondents, utilizing staff at an estimated cost of \$101 per hour, would be \$26,260 (260 × \$101 = \$26,260).

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549.

Dated: May 13, 2005.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. E5-2766 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Notice of Application of Campbell Soup Company To Withdraw Its Common Stock, \$.0375 Par Value, From Listing and Registration on the Philadelphia Stock Exchange, Inc., File No. 1-03822

May 24, 2005.

On May 3, 2005, Campbell Soup Company, a New Jersey corporation ("Issuer"), filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section

12(d) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 12d2-2(d) thereunder,² to withdraw its common stock, \$.0375 par value ("Security"), from listing and registration on the Philadelphia Stock Exchange, Inc. ("Phlx" or "Exchange").

The Board of Directors ("Board") of the Issuer approved resolutions on March 24, 2005 to voluntarily withdraw the Security from listing on the Exchange. The Board stated that among the reasons for its decision to withdraw the Security from Phlx were: (i) The Issuer maintains the principal listing for the Security on the New York Stock Exchange ("NYSE"); (ii) the maintenance of multiple listings requires significant time and expense in ensuring compliance with the rules and disclosure requirements of both the NYSE and the Phlx; and (iii) in the judgment of the Board, the benefits of continued listing on the Phlx are outweighed by the incremental cost and administrative burden of such listing.

The Issuer states in its application that it has met the requirements of Phlx Rule 809 governing an issuer's voluntary withdrawal of a security from listing and registration by providing the required documents for withdrawal from Phlx. The Issuer's application relates solely to the withdrawal of the Security from listing on the Phlx, and shall not affect its continued listing on the NYSE or its obligation to be registered under Section 12(b) of the Act.³

Any interested person may, on or before June 15, 2005, comment on the facts bearing upon whether the application has been made in accordance with the rules of Phlx, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/delist.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include the File Number 1-03822 or;

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. All submissions should refer to File Number 1-03822. This file

number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁴

Jonathan G. Katz,

Secretary.

[FR Doc. E5-2749 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-51736, File No. SR-MSRB-2004-09]

Self-Regulatory Organizations; Municipal Securities Rulemaking Board; Order Approving Proposed Rule Change Relating to Advertisements of Municipal Fund Securities Under MSRB Rule G-21

May 24, 2005.

On December 16, 2004, the Municipal Securities Rulemaking Board ("MSRB" or "Board"), filed with the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² a proposed rule change amending MSRB Rule G-21, on advertising, to establish specific requirements with respect to advertisements by brokers, dealers and municipal securities dealers ("dealers") relating to municipal fund securities. The proposed rule change was published for comment in the **Federal Register** on December 30, 2004.³ The Commission received three comment

letters regarding the proposal.⁴ On March 8, 2005, the MSRB filed a response to the first two comment letters and requested that the SEC make the proposed rule change effective 180 days after the proposed rule change is approved.⁵ On May 10, 2005, the MSRB filed a response to the third comment letter from Fund Distributors and modified the MSRB's request in the First Response Letter regarding the effective date of the proposed rule change.⁶ This order approves the proposed rule change.

The proposed rule change amends MSRB Rule G-21 to establish specific standards applicable to advertisements of municipal fund securities by dealers. In its filing, the MSRB proposed an effective date for the proposed rule change of the first calendar day of the month beginning 90 or more calendar days after SEC approval.

CSF's Letter and ICI's Letter generally supported the proposed amendments, which would bring advertising rules for municipal fund securities more in line with the requirements of Rule 482 adopted by the SEC under the Securities Act of 1933, as amended.⁷ CSF's Letter requested additional time to implement systems changes needed to comply with the proposal, and requested that there be a 180-day transition period from the effective date of the proposal until the date of required compliance. ICI's Letter recommended that the proposed 90-day compliance period be extended to a period of at least 210 days to accommodate the changes necessitated by the revised rule.

In addition, ICI's Letter noted that the MSRB has published for comment related amendments to Rule G-21 that would supplement the proposed rule change (the "additional draft

⁴ See e-mail letter from David Pearlman, Chairman, College Savings Foundation ("CSF"), to rule-comments@sec.gov, dated January 14, 2005 ("CSF's Letter"); letter to Jonathan G. Katz, Secretary, Commission, from Tamara K. Salmon, Senior Associate Counsel, Investment Company Institute ("ICI"), dated January 19, 2005 ("ICI's Letter"); and letter from Joseph J. Connolly, Eckert Seamans Cherin & Mellott, LLC, on behalf of its client PFM Fund Distributors, Inc. ("Fund Distributors"), dated February 18, 2005 ("Fund Distributors' Letter").

⁵ See letter from Ernesto A. Lanza, Senior Associate General Counsel, MSRB, to Martha M. Haines, Chief, Office of Municipal Securities, Commission, dated March 8, 2005 ("MSRB's First Response Letter"). The MSRB's First Response Letter does not respond to Fund Distributors' Letter because Fund Distributors' Letter was received by the Commission after the end of the comment period.

⁶ See letter from Ernesto A. Lanza, Senior Associate General Counsel, MSRB, to Martha M. Haines, Chief, Office of Municipal Securities, Commission, dated May 4, 2005 ("MSRB's Second Response Letter").

⁷ 15 U.S.C. 77a et seq.

¹ 15 U.S.C. 78l(d).

² 17 CFR 240.12d2-2(d).

³ 15 U.S.C. 78l(b).

⁴ 17 CFR 200.30-3(a)(1).

⁵ 15 U.S.C. 78s(b)(1).

⁶ 17 CFR 240.19b-4.

⁷ See Securities Exchange Act Release No. 50919 (December 22, 2004), 69 FR 78499 (December 30, 2004).

amendments”), and recommended the proposed rule change and the additional draft amendments, if ultimately approved, be made effective in a coordinated manner to avoid a two-step compliance process.

The MSRB’s First Response Letter stated that the MSRB had approved the filing with the SEC of the additional draft amendments to Rule G–21 at its February meeting, and also stated that the MSRB would request an effective date for the additional draft amendments that coincides with the effective date for the proposed rule change.

The MSRB’s First Response Letter also stated that they understand that, in many cases, issuers will be involved in the process of preparing the disseminated performance data that dealers will use in their advertisements and for compliance with the requirements in the additional draft amendments. Accordingly, the MSRB’s First Response Letter stated that they believe that additional time for the issuer community to prepare for the timeframes required under the new advertising requirements would be appropriate, and requested that the SEC amend the proposed rule change to be effective 180 days after the proposed rule change is approved. The MSRB’s Second Response Letter, drafted after additional discussions with SEC staff, recommended that all advertisements for municipal fund securities submitted or caused to be submitted for publication by a dealer on or after September 1, 2005 comply with section (e) of Rule G–21, as amended by the proposed rule change, except for paragraphs (e)(i)(C) and (e)(ii) relating to calculation and presentation of performance data and those provisions of paragraph (e)(i)(D) pertaining to paragraph (e)(i)(C), and that all advertisements for municipal fund securities submitted or caused to be submitted for publication by a dealer on or after December 1, 2005 comply with all provisions of section (e) of Rule G–21.

Fund Distributors’ Letter stated that municipal fund securities consist of the securities of two broad classes of issuers: local government investment pools (LGIPs) and what are known as section 529 college savings plans. Fund Distributors’ Letter urged the Commission to decline to adopt the proposed rule change to the extent that the amendments apply to the historical performance data of LGIPs because those amendments fail to recognize the unique perspective of the financially sophisticated municipal governments which use LGIPs in their cash

management programs. The MSRB’s Second Response Letter stated that although they agree that many investors in the LGIP market may be “financially sophisticated municipal governments,” as characterized by Fund Distributors, they believe that a large number of LGIP investors consist of entities such as small municipalities, school and other special purpose districts, and various other governmental entities that may have only part-time or otherwise limited financial staffs who may well not be financially sophisticated. The MSRB’s Second Response Letter further stated that they believe that the proposed rule change will further investor protection in the LGIP market and therefore should be approved as submitted.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the MSRB⁸ and, in particular, the requirements of Section 15B(b)(2)(C) of the Act and the rules and regulations thereunder.⁹ Section 15B(b)(2)(C) of the Act requires, among other things, that the MSRB’s rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in municipal securities, to remove impediments to and perfect the mechanism of a free and open market in municipal securities, and, in general, to protect investors and the public interest.¹⁰ In particular, the Commission finds that the proposed rule change will further investor protection by raising the standards for advertisements of municipal fund securities and by making information provided in such advertisements comparable for different municipal fund securities investments and between municipal fund securities and registered mutual funds.

The Commission finds that the MSRB’s recommendation concerning the effective date of the proposal falls within the statutory parameters and therefore agrees that all advertisements for municipal fund securities submitted or caused to be submitted for publication by a dealer on or after September 1, 2005 must comply with section (e) of Rule G–21, as amended by the proposed rule change, except for

⁸ In approving this rule the Commission notes that it has considered the proposed rule’s impact on efficiency, competition and capital formation. 15 U.S.C. 78c(f).

⁹ 15 U.S.C. 78o–4(b)(2)(C).

¹⁰ *Id.*

paragraphs (e)(i)(C) and (e)(ii) relating to calculation and presentation of performance data and those provisions of paragraph (e)(i)(D) pertaining to paragraph (e)(i)(C), and that all advertisements for municipal fund securities submitted or caused to be submitted for publication by a dealer on or after December 1, 2005 must comply with all provisions of section (e) of Rule G–21. These compliance dates also would apply to the additional draft amendments, when filed with (and if approved by) the Commission. In addition, the Commission believes that the amendments should be applied to LGIPs as well as section 529 plans because investor protection issues may be raised in connection with the sale by dealers of interests in local government pools as well as section 529 plans.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹¹ that the proposed rule change (SR–MSRB–2004–09) be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹²

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. E5–2750 Filed 5–31–05; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–51737; File No. SR–MSRB–2005–07]

Self-Regulatory Organizations; Municipal Securities Rulemaking Board; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Regarding Amendment to Rule G–8, on Recordkeeping, Relating to Delivery of Customer Agreements Containing Predispute Arbitration Clauses

May 24, 2005.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b–4 thereunder,² notice is hereby given that on April 29, 2005, the Municipal Securities Rulemaking Board (“MSRB” or “Board”), filed with the Securities and Exchange Commission (“Commission” or “SEC”) the proposed rule change as described in Items I and II below, which Items have been prepared by the MSRB. The MSRB has filed the proposal as a “non-controversial” rule change pursuant to Section 19(b)(3)(A)(iii) of

¹ 15 U.S.C. 78s(b)(2).

² 17 CFR 200.30–3(a)(12).

³ 15 U.S.C. 78s(b)(1).

⁴ 17 CFR 240.19b–4.

the Act,³ and Rule 19b-4(f)(6) thereunder,⁴ which renders the proposal effective upon filing with the Commission. However, the MSRB has set an effective date of May 1, 2005, to coincide with recent amendments to NASD Rule 3110(f), on predispute arbitration agreements with customers.⁵ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The MSRB is filing with the Commission a proposed rule change consisting of an amendment to Rule G-8, on recordkeeping, to conform to NASD's recent amendments to Rule 3110(f). NASD's amendments conform its requirements with the Commission's recordkeeping rules by extending the time period for delivery of a copy of a customer account agreement containing a predispute arbitration clause from the time of signing to within 30 days of signing.⁶ The MSRB has set an effective date for the amendments of May 1, 2005, to coincide with the effective date of the recent amendments to NASD Rule 3110(f), and, consistent with NASD, has extended the compliance date to June 1, 2005 for the prior amendments to Rule G-8(a)(xi)(M)(1), on required disclosures in customer agreements containing predispute arbitration clauses.⁷ The text of the proposed rule change is available on the MSRB's Web site (<http://www.msrb.org>), at the MSRB's principal office, and at the Commission's Public Reference Room.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the MSRB included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The MSRB has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

On March 21, 2005, the MSRB filed, for immediate effectiveness, a proposed rule change consisting of an amendment to Rule G-8 to add requirements governing the use of predispute arbitration agreements with customers, consistent with NASD requirements as set forth in NASD Rule 3110(f).⁸ Shortly thereafter, NASD filed an amendment to Rule 3110(f) to conform to SEC recordkeeping rules, in particular Exchange Act Rule 17a-3(a)(17)(i)(B)(1),⁹ by extending the time period for delivery of a copy of a customer account agreement containing a predispute arbitration clause from the time of signing to within 30 days of signing.¹⁰ The NASD amendments also extend the compliance date of its prior amendments to Rule 3110(f)(1), on required disclosures, to June 1, 2005.

As stated previously, it is the MSRB's intent to make its requirements governing the use of predispute arbitration agreements with customers consistent with NASD requirements in this area. Accordingly, the MSRB is submitting the proposed rule change to amend Rule G-8, consistent with NASD Rule 3110(f) as most recently amended. As noted in NASD's filing, the purpose of the proposed rule change regarding the delivery of customer agreements is to conform the time period for delivery of copies of any customer agreement containing a predispute arbitration clause to customers with SEC requirements as set forth in its recordkeeping rules.¹¹ Specifically, the proposed rule change would require

dealers to comply with such delivery requirements within 30 days of signing of the customer agreement.

Both NASD and MSRB requirements, as previously filed, are effective as of May 1, 2005.¹² As part of its most recent amendments, NASD extended to June 1, 2005 the compliance date for its provision regarding required disclosures in any customer agreement containing a predispute arbitration clause.¹³ Thus, the MSRB has set an effective date for the amendments of May 1, 2005, and has extended the compliance date for its prior amendments to Rule G-8(a)(xi)(M)(1), on required disclosures, to June 1, 2005. Beginning June 1, 2005, all customer agreements containing predispute arbitration clauses must include the new disclosure required by Rule G-8(a)(xi)(M)(1).¹⁴ The MSRB is requesting that the Commission waive the five-day pre-filing notice requirement and the 30-day delayed effective date requirement for "non-controversial" filings submitted pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6) thereunder, so that MSRB effective dates will coincide with NASD's for the same requirements.

2. Statutory Basis

The MSRB believes that the proposed rule change is consistent with Section 15B(b)(2)(C) and (D) of the Act,¹⁵ which provides that MSRB rules shall:

be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in municipal securities, to remove impediments to and perfect the mechanism of a free and open market in municipal securities, and, in general, to protect investors and the public interest * * * [and] if the Board deems appropriate, provide for the arbitration of claims, disputes, and controversies relating to transactions in municipal securities * * *.

The MSRB believes that the proposed rule change is consistent with these provisions in that it would provide for the protection of investors and the public interest by ensuring that customers of brokers, dealers and municipal securities dealers, including bank dealers and municipal-only dealers, receive information regarding arbitration and predispute arbitration

⁸ File No. SR-MSRB-2005-05. The filing also contained a technical amendment to Rule A-11, on indemnification, to delete its obsolete references to arbitrators. On April 1, 2005, the MSRB submitted Amendment No. 1 to the filing to replace, in its entirety, the proposed language to Rule G-8 with new language that conformed with the language of NASD Rule 3110(f), as amended. See MSRB Notices 2005-18 (March 21, 2005) and 2005-21 (April 1, 2005). The Commission published notice of the filing for immediate effectiveness in Release No. 34-51534 (April 12, 2005). The effective date for the amendments to Rule G-8 is May 1, 2005.

⁹ 17 CFR 240.17a-3(a)(17)(b)(1). This SEC rule requires a broker-dealer, among other things, to keep a record indicating that the broker-dealer has furnished to each customer within 30 days of opening the account a copy of the account record, or alternate document, containing the customer's name, address, telephone number, date of birth, employment status, annual income, net worth, the account's investment objectives, and other information.

¹⁰ The Commission published notice of the NASD filing and an order granting accelerated approval in Release No. 34-51526 (April 12, 2005).

¹¹ File No. SR-NASD-2005-045 at 19.

¹² SEC Release No. 34-50713 (November 22, 2004) and 34-51534 (April 12, 2005).

¹³ SEC Release No. 34-51526 (April 12, 2005).

¹⁴ However, any dealer that wishes to use customer agreements containing the new disclosure language required by MSRB Rule G-8(a)(xi)(M)(1) may do so prior to the compliance date of June 1, 2005.

¹⁵ 15 U.S.C. 78o-4(b)(2)(C), (D).

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b-4(f)(6).

⁵ SEC Release No. 34-51526 (April 12, 2005).

⁶ NASD's filing (File No. SR-NASD-2005-045) was granted accelerated approval in SEC Release No. 34-51526 (April 12, 2005).

⁷ SEC Release 34-51534 (April 12, 2005).

agreements in a timely fashion. The proposed rule change also would ensure consistent treatment across the securities markets regarding these requirements.

B. Self-Regulatory Organization's Statement on Burden on Competition

The MSRB does not believe that the proposed rule change will result in any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments were neither solicited nor received on the proposal.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the proposed rule change: (i) Does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) does not become operative for 30 days (or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest) from the date on which it was filed, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act¹⁶ and Rule 19b-4(f)(6) thereunder.¹⁷

A proposed rule change filed under Rule 19b-4(f)(6) normally does not become operative prior to 30 days after the date of the filing. However, Rule 19b-4(f)(6)(iii) permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. The MSRB has asked the Commission to waive the 30-day operative delay. The Commission hereby grants this request. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because such waiver will enable the MSRB to make the effective date of the proposed rule change coincide with NASD's for the same requirements. The effective date for the amendments will be May 1, 2005. The MSRB has extended the compliance date for its prior amendments to Rule G-8(a)(xi)(M)(1) to June 1, 2005, to coincide with NASD's compliance date for the same provisions. The MSRB has also requested that the Commission waive the pre-filing notice requirement of at least five business days (or such

shorter time as designated by the Commission).¹⁸ The Commission hereby grants the MSRB's request to waive the pre-filing requirement.¹⁹

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.²⁰

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-MSRB-2005-07 on the subject line.

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. All submissions should refer to File Number SR-MSRB-2005-07. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be

available for inspection and copying at the principal office of the MSRB. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-MSRB-2005-07 and should be submitted on or before June 22, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²¹

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. E5-2751 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-51735; File No. SR-NASD-2004-165]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Notice of Filing of Proposed Rule Change and Amendment Nos. 1 and 2 Thereto Relating to NASD Rule 2790

May 24, 2005.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act" or "Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on October 29, 2004, the National Association of Securities Dealers, Inc. ("NASD") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by NASD. On February 1, 2005, NASD submitted Amendment No. 1 to the proposed rule change.³ On April 18, 2005, NASD submitted Amendment No. 2 to the proposed rule change.⁴ The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

NASD is filing with the Commission a proposed rule change to amend subparagraph (i)(9) of NASD Rule 2790

²¹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Amendment No. 1 included minor changes to the rule text of the proposed rule change.

⁴ Amendment No. 2 included minor changes to the proposed rule change including clarifying that most REITs have invested assets at the time of their initial public offering.

¹⁶ 15 U.S.C. 78s(b)(3)(A).

¹⁷ 17 CFR 240.19b-4(f)(6).

¹⁸ 17 CFR 240.19b-4(f)(6)(iii).

¹⁹ For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

²⁰ See Section 19(b)(3)(C) of the Act, 15 U.S.C. 78s(b)(3)(C).

to exclude from the definition of “new issue” securities offerings of a business development company (“BDC”), a direct participation program (“DPP”), and a real estate investment trust (“REIT”). NASD also is proposing a technical change to the exemption for foreign investment companies in subparagraph (c)(6) of NASD Rule 2790 to clarify the scope of the exemption as reflected in a recent NASD staff memorandum dated August 6, 2004 (“Staff Memorandum”).⁵ In addition, NASD is proposing to amend NASD Rule 2790 to codify the filing requirement for distribution information. Below is the text of the proposed rule change. Proposed new language is italicized; proposed deletions are bracketed.

2700. Securities Distributions

* * * * *

2790. Restrictions on the Purchase and Sale of Initial Equity Public Offerings

(a) through (b) No Change.

(c) General Exemptions

The general prohibitions in paragraph (a) of this rule shall not apply to sales to and purchases by the following accounts or persons, whether directly or through accounts in which such persons have a beneficial interest:

(1) through (5) No Change.

(6) An investment company organized under the laws of a foreign jurisdiction, provided that:

(A) The investment company is listed on a foreign exchange for sale to the public or authorized for sale to the public by a foreign regulatory authority; and

(B) No person owning more than 5% of the shares of the investment company is a restricted person;

(7) through (10) No Change.

(d) through (h) No Change.

(i) Definitions

(1) through (8) No Change.

(9) “New issue” means any initial public offering of an equity security as defined in Section 3(a)(11) of the Act, made pursuant to a registration statement or offering circular. New issue shall not include:

(A) Offerings made pursuant to an exemption under Section 4(1), 4(2) or 4(6) of the Securities Act of 1933, or SEC Rule 504 if the securities are “restricted securities” under SEC Rule 144(a)(3), or Rule 144A or Rule 505 or Rule 506 adopted thereunder;

(B) Offerings of exempted securities as defined in Section 3(a)(12) of the Act, and rules promulgated thereunder;

(C) Offerings of securities of a commodity pool operated by a

commodity pool operator as defined under Section 1a(5) of the Commodity Exchange Act;

(D) Rights offerings, exchange offers, or offerings made pursuant to a merger or acquisition;

(E) Offerings of investment grade asset-backed securities;

(F) Offerings of convertible securities;

(G) Offerings of preferred securities;

(H) Offerings of an investment company registered under the Investment Company Act of 1940; [and]

(I) Offerings of securities (in ordinary share form or ADRs registered on Form F-6) that have a pre-existing market outside of the United States[.]; and

(J) Offerings of a business development company as defined in Section 2(a)(48) of the Investment Company Act of 1940, a direct participation program as defined in NASD Rule 2810(a)(4), or a real estate investment trust as defined in Section 856 of the Internal Revenue Code.

(10) No Change.

(j) Information Required To Be Filed

(1) The book-running managing underwriter of a new issue shall be required to file the following information in the time and manner specified by NASD with respect to new issues:

(A) The initial list of distribution participants and their underwriting commitment and retention amounts on or before the offering date; and

(B) The final list of distribution participants and their underwriting commitment and retention amounts no later than three business days after the offering date.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NASD included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. NASD has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(1) Purpose

I. Securities Offerings of BDCs, DPPs, and REITs. Currently, the definition of “new issue” under subparagraph (i)(9) of NASD Rule 2790 excludes, among

other things, securities offerings of closed-end investment companies registered under the Investment Company Act of 1940 (the “Investment Company Act”). NASD staff has observed that securities of closed-end investment companies “typically commence trading at the public offering price with little potential for trading at a premium because the fund’s assets at the time of the offering are the capital it has previously raised.”⁶ Moreover, if there is a premium, it is generally small. In light of these facts, NASD exempted securities of closed-end investment companies registered under the Investment Company Act from the definition of “new issue,” noting that including such offerings within the scope of NASD Rule 2790 would do little to further the purposes of the Rule and, moreover, may impair the ability of such companies to obtain capital.⁷ For similar reasons, as discussed below, NASD is proposing to exclude from the definition of “new issue” securities offerings of BDCs as defined in Section 2(a)(48) of the Investment Company Act,⁸ DPPs as defined in NASD Rule 2810(a)(4), and REITs as defined in Section 856 of the Internal Revenue Code (the “Code”).⁹

A. BDCs. According to NASD, through the passage of the Small Business Investment Incentive Act of 1980 and the corresponding amendments to the Investment Company Act, Congress enacted a regulatory structure for BDCs in an effort to encourage capital investment in small developing businesses and financially troubled businesses.¹⁰

A BDC is defined as a domestic, closed-end investment company that: is operated for the purpose of making investments in small and developing businesses and financially troubled businesses; that must make available significant managerial assistance to certain of its portfolio companies; and that has notified the Commission of its election to be subject to the provisions of Sections 55 through 65 of the Investment Company Act.¹¹ According to NASD, while a BDC technically is not registered under the Investment

⁶ Securities Exchange Act Release No. 48701 (October 24, 2003), 68 FR 62126 (October 31, 2003) (order approving File No. SR-NASD-99-60).

⁷ *Id.*; Securities Exchange Act Release No. 43627 (November 28, 2000), 65 FR 76316 (December 6, 2000) (notice of filing of Amendment No. 2 to File No. SR-NASD-99-60).

⁸ 15 U.S.C. 80a-2(a)(48).

⁹ 26 U.S.C. 856.

¹⁰ See Investment Company Act Release No. 11493 (December 16, 1980), 45 FR 83479 (December 19, 1980).

¹¹ See Section 2(a)(48) of the Investment Company Act; 15 U.S.C. 80a-2(a)(48).

⁵ The Staff Memorandum is available on the NASD’s Web site at <http://www.nasdr.com>.

Company Act, it is subject to many of the same requirements that are applicable to registered investment companies.¹²

Section 55 of the Investment Company Act,¹³ in part, describes the securities in which a BDC can invest. These securities generally must comprise at least 70% of the value of the BDC's investment assets and include securities of certain companies, cash, cash items, U.S. government securities, and high quality debt instruments. The companies in which a BDC can invest are primarily "eligible portfolio companies" as defined in Section 2(a)(46) of the Investment Company Act,¹⁴ which generally include small developing businesses and financially troubled businesses. Further, NASD staff understands that BDCs are similar to registered closed-end investment companies in that a BDC's primary asset at the time of its initial public offering is the capital it has raised through the offering process. Thus, NASD believes that like registered closed-end investment companies, BDCs generally commence trading at their public offering price and premiums, if any, tend to be very small.

B. DPPs and REITs. A DPP, as defined in NASD Rule 2810(a)(4), is a program that provides for flow-through tax consequences regardless of the structure of the legal entity or vehicle for distribution, including, but not limited to, oil and gas programs, cattle programs, condominium securities, Subchapter S corporate offerings and all other programs of a similar nature, regardless of the industry represented by the program, or any combination thereof. NASD Rule 2810 excludes REITs from the definition of a DPP.

A REIT is a recognized investment vehicle for income-generating real estate, and it is allowed to benefit from the tax advantages of a trust as long as certain asset, income, and distribution criteria have been satisfied as set forth

in the Code.¹⁵ For instance, pursuant to the Code, at least 75 percent of a REIT's gross income must be derived from real estate, and at least 75 percent of the value of its total assets must be represented by real estate assets, cash and cash items, and Government securities.¹⁶

According to NASD, nearly all DPPs and a few REITs, at the time of their initial public offering, have no invested assets. The initial public offering raises capital, which is subsequently invested. As such, NASD believes that the initial public offerings of these DPPs and REITs, like registered closed-end investment companies, are not expected to open at a premium. Like registered closed-end funds, the primary asset of these DPPs and REITs immediately following the public offering is the capital raised in the offering.

According to NASD, most REITs making an initial public offering have invested assets upon consummation of the offering. Although the common stock of these REITs has a greater potential for immediate premiums in the secondary market, NASD staff's review of such offerings has shown that even in these cases, premiums, if any, tend to be small. According to NASD, because the assets of REITs (e.g., rental properties or mortgage portfolio) generally have a reasonably determinable market value, it is rare that REITs will commence trading at a significant premium. Moreover, NASD believes that investors typically invest in REITs for income rather than capital appreciation, which may further limit premiums in the immediate aftermarket.

For these reasons, NASD is proposing to exclude securities offerings of all BDCs, DPPs, and REITs from the definition of "new issue" under subparagraph (i)(9) of NASD Rule 2790. As noted above, NASD staff has found that historically most of these offerings have not traded at a substantial premium. If warranted by future developments in the trading pattern of such securities in the immediate secondary market, however, the staff would reconsider the appropriateness of a blanket exclusion for these types of offerings.

II. Foreign Investment Company Exemption. NASD also is proposing a technical change to the exemption for foreign investment companies in subparagraph (c)(6) of NASD Rule 2790 to clarify the scope of the exemption as reflected in the Staff Memorandum. The Staff Memorandum was prepared in

response to inquiries about whether the foreign investment company exemption would apply to various hedge funds and other funds exempt from registration under the Investment Company Act that were listed on a foreign exchange (such as the Irish Stock Exchange). In the Staff Memorandum, NASD staff explained that the foreign investment company exemption is intended to extend to foreign investment companies that are similar to U.S. registered investment companies.¹⁷ NASD staff further explained the exemption for foreign investment companies extends only to an investment company organized under the laws of a foreign jurisdiction that is either "listed on a foreign exchange for sale to the public" or "authorized for sale to the public," and that does not have any restricted person that beneficially owns more than 5% of the company's shares.

The Staff Memorandum also reiterated the position in *NtM* 03-79 that a foreign investment company that is limited to select investors would not be considered as "for sale to the public." As NASD staff explained, foreign investment companies that are limited to high net worth individuals are not eligible for the foreign investment company exception. According to NASD, inasmuch as U.S. registered investment companies are not limited to sale to high net worth individuals, it would be inconsistent to permit foreign investment companies to impose such requirements and still avail themselves of the exemption provided for foreign investment companies under

¹⁷ In *Notice to Members* ("NtM") 97-30, which proposed the foreign investment company exception in the Free-Riding and Withholding Interpretation, IM-2110-1 (the predecessor to Rule 2790), NASD stated that:

Purchases of shares of investment companies registered under the Investment Company Act of 1940 (1940 Act) are exempt from the restrictions of the Interpretation. The rationale for this existing provision is that the interest of any one restricted person in an investment company ordinarily is *de minimis* and that, because the ownership of investment company shares generally is subject to frequent turnover, determining compliance with the Interpretation would be extremely difficult in this context. *NASD Regulation is proposing to extend this rationale to the purchase of shares of foreign entities that are similar to U.S. investment companies.* (emphasis added).

Likewise, in *NtM* 03-79, which announced the SEC's approval of NASD Rule 2790, NASD explained that "the foreign investment company exception is intended to extend benefits to foreign investment entities that are similar to U.S. mutual funds."

¹² For example, in December 2003, the Commission adopted a new rule under the Investment Company Act that requires each registered investment company as well as each BDC to adopt and implement written policies and procedures reasonably designed to prevent violation of the federal securities laws, review those policies and procedures annually for their adequacy and the effectiveness of their implementation, and designate a chief compliance officer to be responsible for administering the policies and procedures. See Investment Company Act Release No. 26299 (December 17, 2003), 68 FR 74714 (December 24, 2003) (Final Rule Relating to Compliance Programs of Investment Companies and Investment Advisers).

¹³ 15 U.S.C. 80a-54.

¹⁴ 15 U.S.C. 80a-2(a)(46).

¹⁵ See Section 856 of the Code; 26 U.S.C. 856.

¹⁶ *Id.*

NASD Rule 2790. NASD believes that none of the reasons underlying the exemption for U.S. registered investment companies, such as broad public ownership, the difficulty in identifying beneficial owners, the ability of any public investor to purchase an interest in the investment company, and the generally negligible interest of any single restricted person, are likely to be present with a foreign investment company offered only to high net worth individuals. Moreover, NASD staff believes that the purposes of NASD Rule 2790 could easily be frustrated by purchases of large quantities of a new issue by a foreign investment company listed on a foreign exchange that is owned entirely or principally by broker-dealer personnel (or other restricted persons). According to NASD, a foreign investment company that is limited to select investors would, however, be eligible to purchase new issues in accordance with the *de minimis* exemption set forth in subparagraph (c)(4) of NASD Rule 2790.

While NASD staff believes the text of NASD Rule 2790, *NtM* 03-79, and the rulemaking history of the foreign investment company provision support the interpretation provided in the Staff Memorandum, NASD staff also believes that it is appropriate to amend the rule text. Specifically, NASD is proposing to revise the foreign investment company exemption to state as follows:

(6) An investment company organized under the laws of a foreign jurisdiction, provided that:

(A) The investment company is listed on a foreign exchange for sale to the public or authorized for sale to the public by a foreign regulatory authority; and

(B) No person owning more than 5% of the shares of the investment company is a restricted person.

III. Information Required to be Filed.

In 1996, NASD initiated a regulatory service, "NASDesk," for members to transmit underwriting commitment and retention information to NASD's Free-Riding Regulatory Database. NASD communicated with members regarding the "hot issue" status of initial public offerings ("IPOs") using a companion system, "Compliance Desk."¹⁸ To coincide with the implementation of NASD Rule 2790, NASD replaced NASDesk/Compliance Desk with a new system for members to submit new issue distribution information named "IPO Distribution Manager."¹⁹ IPO Distribution Manager is a Web-based application that permits the book-

running managing underwriter to transmit distribution information to NASD through Web COBRA, the Web-based filing system that members are required to use when filing information about IPOs under the Corporate Financing Rule (NASD Rule 2710).

NASD is proposing to amend NASD Rule 2790 to codify the requirement for the book-running managing underwriter to file distribution information as announced in *NtM* 04-20.

(2) Statutory Basis

NASD believes that the proposed rule change, as amended, is consistent with the provisions of Section 15A(b)(6) of the Act,²⁰ which requires, among other things, that NASD rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. NASD believes that the proposed rule change to NASD Rule 2790, as described herein, protects investors and the public interest by ensuring that member firms make a bona fide public offering of securities at the public offering price.

B. Self-Regulatory Organization's Statement on Burden on Competition

NASD does not believe that the proposed rule change, as amended, will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

A. By order approve such proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-NASD-2004-165.

Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549. All submissions should refer to File Number SR-NASD-2004-165. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW, Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of the NASD. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NASD-2004-165 and should be submitted on or before June 22, 2005.

¹⁸ See *NtM* 96-18.

¹⁹ See *NtM* 04-20 (March 2004).

²⁰ 15 U.S.C. 78o-3(b)(6).

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²¹

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. E5-2752 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-51741; File No. SR-NASD-2005-054]

Self-Regulatory Organizations; National Association of Securities Dealers, Inc.; Order Granting Accelerated Approval of Proposed Rule Change and Amendment No. 1 Thereto Relating to Certain Amendments to the Restated Certificate of Incorporation and the By-Laws of The Nasdaq Stock Market, Inc

May 25, 2005.

I. Introduction

On April 19, 2005, the National Association of Securities Dealers ("NASD"), through its subsidiary, The Nasdaq Stock Market Inc. ("Nasdaq"), filed with the Securities and Exchange Commission ("Commission" or "SEC") a proposed rule change, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² to make certain amendments to the Nasdaq Restated Certificate of Incorporation (the "Certificate") and the Nasdaq By-Laws (the "By-Laws") to phase out the current classified board structure and provide for the annual election of all members of the Nasdaq Board of Directors (the "Nasdaq Board"). The proposed rule change was published for comment in the **Federal Register** on May 4, 2005.³ The Commission received no comments on the proposal. On May 25, 2005, Nasdaq submitted Amendment No. 1 to the proposed rule change.⁴ This order grants accelerated approval to the proposed rule change, as amended.

²¹ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 51626 (April 28, 2005), 70 FR 23286 (May 4, 2005).

⁴ In Amendment No. 1, Nasdaq modified the text of their proposed rule change to reflect NASD and stockholder approval of the proposed amendments to Nasdaq's Certificate of Incorporation. Specifically, the Amendment stated that the Board of Governors of the NASD (the "NASD Board") approved the proposed rule change on April 21, 2005, and that Nasdaq's stockholders approved the proposed rule change at the 2005 annual meeting of stockholders which was held on May 25, 2005. Amendment No. 1 is a technical amendment and, therefore, not subject to notice and comment.

II. Discussion and Commission Findings

The Commission has reviewed the proposed rule change, as amended, and finds that it is consistent with the requirements of Section 15A of the Act,⁵ and the rules and regulations thereunder applicable to a national securities association.⁶ In particular, the Commission finds that the proposed rule change is consistent with Sections 15A(b)(2) and (6) of the Act,⁷ which require, among other things, that Nasdaq be so organized and have the capacity to be able to carry out the purposes of the Act and to comply with and enforce compliance with the provisions of the Act, and that Nasdaq's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. The Commission believes that the proposed rule change will serve the public interest by enhancing the accountability of board members through more frequent elections and thereby may help Nasdaq fulfill its obligations under the Act.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice thereof in the **Federal Register**. In order for the amendments to the Certificate and the By-Laws to take effect as approved, Nasdaq requested that the Commission accelerate approval of the proposed rule change on May 25, 2005, immediately after the filing of the amendment indicating approval by Nasdaq's stockholders and the NASD Board. Accelerating approval will allow for the timely filing, of the proposed changes being made to the Certificate, with the Secretary of State of the State of Delaware. Furthermore, approval of the proposed rule change on May 25, 2005 will avert the need for a second stockholder vote at a later meeting that would entail additional expense and delay while not conferring benefits from a regulatory or corporate governance standpoint. Accordingly, the Commission finds good cause, consistent with Sections 15A(b)(6) and 19(b) of the Exchange Act, to approve the proposed rule change, as amended, on an accelerated basis.

⁵ 15 U.S.C. 78o-3.

⁶ In approving the proposed rule change, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁷ 15 U.S.C. 78o-3(b)(2) and (6).

III. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,⁸ that proposed rule change (SR-NASD-2005-054), as amended, is approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁹

Jill M. Peterson,

Assistant Secretary.

[FR Doc. E5-2767 Filed 5-31-05; 8:45 am]

BILLING CODE 8010-01-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Docket No. MC-F-21012]¹

CUSA CSS, LLC d/b/a Crew Shuttle Services—Acquisition of Assets and Business Operations—Crew Shuttle Service, Inc.

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice tentatively approving finance transaction.

SUMMARY: CUSA CSS, LLC d/b/a Crew Shuttle Services (CUSA CSS or Applicant), a federally regulated motor carrier (MC-522544), has filed an application under 49 U.S.C. 14303 to purchase the assets and business operations of Crew Shuttle Service, Inc. (Crew or Seller). Persons wishing to oppose this application must follow the rules at 49 CFR 1182.5 and 1182.8. The Board has tentatively approved the transaction, and, if no opposing comments are timely filed, this notice will be the final Board action.

DATES: Comments must be filed by July 18, 2005. Applicant may file a reply by August 1, 2005. If no comments are filed by July 18, 2005, this notice is effective on that date.

ADDRESSES: Send an original and 10 copies of any comments referring to STB Docket No. MC-F-21012 to: Surface Transportation Board, 1925 K Street, NW., Washington, DC 20423-0001. In addition, send one copy of comments to Applicant's representative: Stephen Flott, Flott & Co. PC, PO Box 17655, Arlington, VA 22216-7655.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 565-1600.

⁸ 15 U.S.C. 78s(b)(2).

⁹ 17 CFR 200.30-3(a)(12).

¹ A request for interim approval under 49 U.S.C. 14303(i) was included in this filing (STB Docket No. MC-F-21012 TA). Temporary approval was granted by decision served on May 16, 2005, which approval became effective on that date.

[Federal Information Relay Service (FIRS) for the hearing impaired: 1-800-877-8339.]

SUPPLEMENTARY INFORMATION: CUSA CSS is a new company wholly owned and created by CUSA, LLC (CUSA) to undertake this transaction. CUSA is a noncarrier which owns 19 federally regulated and non-federally regulated motor carriers. CUSA is, in turn, wholly owned by noncarrier KBUS Holdings, LLC (KBUS), which acquired the assets and business operations of the federally regulated motor carriers formerly owned by Coach USA, Inc., and then consolidated those assets/operations into the motor passenger carriers now controlled by CUSA.² These carriers have more than 3,700 employees and operate approximately 1,100 motor coaches and over 700 other revenue vehicles in 35 states. Annual revenues for the companies controlled by CUSA exceeded \$220 million for 2004. According to Applicant, the experienced senior management team that CUSA now has in place has identified the acquisition of Crew as a strategic way to expand its contract passenger business in the Pacific Northwest.

Crew is a motor passenger contract carrier that has served businesses, principally in the railroad industry, for many years in the Pacific Northwest pursuant to federal operating authority granted in Docket No. MC-264436. Applicant has entered into an agreement with Seller and its shareholders to buy Seller's assets, including vehicles and business operations.

CUSA CSS has submitted information, as required by 49 CFR 1182.2(a)(7), to demonstrate that the proposed transaction is consistent with the public interest under 49 U.S.C. 14303(b). Applicant states that the proposed acquisition will not adversely impact fixed charges or adversely impact the interests of employees of companies whose assets and businesses are being acquired. It asserts that granting the application will allow CUSA CSS to take advantage of economies of scale and substantial benefits offered by CUSA's centralized management system, including interest cost savings and reduced operating costs. In addition, applicant has submitted all of the other statements and certifications required by 49 CFR 1182.2. Additional information, including a copy of the application may

be obtained from Applicant's representative.

Under 49 U.S.C. 14303(b), the Board must approve and authorize a transaction found to be consistent with the public interest, taking into consideration at least: (1) The effect of the transaction on the adequacy of transportation to the public; (2) the total fixed charges that result; and (3) the interest of affected carrier employees.

On the basis of the application, the Board finds that the proposed acquisition of assets and business operations is consistent with the public interest and should be authorized. If any opposing comments are timely filed, this finding will be deemed vacated and, unless a final decision can be made on the record as developed, a procedural schedule will be adopted to reconsider the application. See 49 CFR 1182.6(c). If no opposing comments are filed by the expiration of the comment period, this notice will take effect automatically and will be the final Board action.

Board decisions and notices are available on our Web site at <http://WWW.STB.DOT.GOV>.

This decision will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. The proposed finance transaction (acquisition of assets and business operations) is approved and authorized, subject to the filing of opposing comments.

2. If timely opposing comments are filed, the findings made in this notice will be deemed vacated.

3. This notice will be effective on July 18, 2005, unless timely opposing comments are filed.

4. A copy of this notice will be served on: (1) The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, 400 7th Street, SW., Room 8214, Washington, DC 20590; (2) the U.S. Department of Justice, Antitrust Division, 10th Street & Pennsylvania Avenue, NW., Washington, DC 20530; and (3) the U.S. Department of Transportation, Office of the General Counsel, 400 7th Street, SW., Washington, DC 20590.

Decided: May 20, 2005.

By the Board, Chairman Nober, Vice Chairman Buttrey, Commissioner Mulvey.

Vernon A. Williams,
Secretary.

[FR Doc. 05-10727 Filed 5-31-05; 8:45 am]

BILLING CODE 4915-01-P

DEPARTMENT OF THE TREASURY

Fiscal Service

Privacy Act of 1974, as Amended; System of Records

AGENCY: Fiscal Service, Treasury.

ACTION: Notice of proposed privacy act system of records.

SUMMARY: In accordance with the Privacy Act of 1974, as amended, the Department of the Treasury, Office of Domestic Finance, Fiscal Service gives notice of a proposed system of records. The new system contains records about individuals who apply for digital certificates under the Fiscal Service Certificate Authority which is administered under the Department of the Treasury Certificate Policy. A new Privacy Act System is proposed in order to accomplish the Department's obligations to protect privacy, to ensure the security of data and to maintain required records.

DATES: Comments must be received no later than July 1, 2005. The proposed system of records will be effective July 11, 2005, unless the Bureau of the Public Debt receives comments which would result in a contrary determination.

ADDRESSES: Send any comments to the Disclosure Officer, Administrative Resource Center, Bureau of the Public Debt, Department of the Treasury, 200 Third Street, Avery 5th, Parkersburg, WV 26101-5312. All comments received will be posted without change to <http://www.publicdebt.treas.gov>. The posting will include any personal information that you provide in the submission.

FOR FURTHER INFORMATION CONTACT: For information about this document, contact Edward Gronseth, Deputy Chief Counsel, or Elizabeth Spears, Senior Attorney, in the Office of the Chief Counsel, Bureau of the Public Debt, at 304-480-8692, or Natalie Diana, Senior Attorney, in the Office of the Chief Counsel, Financial Management Service, at (202) 874-6680.

SUPPLEMENTARY INFORMATION: The Government Paperwork Elimination Act (GPEA) directs Federal agencies to implement systems that will enable the electronic collection and dissemination of information. In order to carry out the GPEA, the Department of the Treasury, Office of Domestic Finance, Fiscal Service has implemented Public Key Infrastructure (PKI) technology, known as the Fiscal Service Certificate Authority (Fiscal Service CA), to support electronic commerce between

² See *KBUS Holdings, LLC—Acquisition of Assets and Business Operations—All West Coachlines, Inc., et al.*, STB Docket No. MC-F-21000 (STB served July 23, 2003).

the Bureau of the Public Debt (BPD) or the Financial Management Service (FMS), and their customers.

PKI is a set of hardware, software, policies and procedures used to provide several important security services for electronic business activities. PKI technology protects the integrity and confidentiality of information submitted electronically. Customers submit a request to BPD or FMS for a digital certificate, which enables the customer to download and use cryptographic software to create the encryption keys necessary for electronic identity verification and secure transactions. This digital certificate is required in order to access secure online systems that are provided through the Fiscal Service CA, such as obtaining access to services offered by BPD and FMS.

For example, the Department of the Treasury, through FMS, operates Federal payment systems and disburses approximately 85 percent of all Federal payments. All vouchers submitted to FMS for payment must be signed (certified) by a Federal program agency's duly designated certifying officer. Previously, payment requests were submitted through the Treasury Electronic Certification System (ECS), a DOS-based system. FMS is replacing ECS with the Secure Payment System (SPS). SPS is a mechanism which employs digital certificates, issued by the Fiscal Service CA, to initiate payment and certification requests providing for the positive identification of agency certifying officers who authorize vouchers for payment. SPS provides enhanced operating capabilities and much greater information integrity than ECS.

Additionally, FMS operates the Automated Standard Application for Payments (ASAP) program. ASAP is a mechanism by which FMS makes grant payments to state agencies and other authorized grantee organizations. Digital certificates will be issued to Federal employees who approve the funding amounts in grantees' accounts. The grantees will request draw downs, and delivery of Federal funds, from accounts held in the ASAP.GOV system.

FMS requires that applicants who seek access to SPS, ASAP, and other similar systems, request a digital certificate by submitting an application form. The forms are available for download from the FMS Web sites located at: <http://www.fms.treas.gov>.

In conjunction with the application process, the applicant will be required to submit personal information that is subject to the Privacy Act of 1974. The information collected will be used only to establish and verify the identity and

eligibility of applicants for certificates. No other use of the information is permitted.

The new system of records report, as required by 5 U.S.C. 552a(r) of the Privacy Act, has been submitted to the Committee on Government Reform and Oversight of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate and the Office of Management and Budget, pursuant to Appendix I to OMB Circular A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated November 30, 2000.

The proposed Treasury .012—Fiscal Service Public Key Infrastructure, is published in its entirety below.

Dated: May 23, 2005.

Nicholas Williams,

Deputy Assistant Secretary for Headquarters Operations.

Treasury .012

SYSTEM NAME:

Fiscal Service Public Key Infrastructure—Treasury.

SYSTEM LOCATION:

The system of records is located at:
(1) The Bureau of the Public Debt (BPD), U.S. Department of the Treasury, in Parkersburg, WV, and,
(2) The Financial Management Service (FMS), U.S. Department of the Treasury, Washington, DC, and Hyattsville, MD. The system managers maintain the system location of these records.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Digital certificates may be issued to any of the following individuals: A Federal agency certifying officer who authorizes vouchers for payment; Federal employees who approve the grantees' accounts; an individual authorized by a state or grantee organization to conduct business with the Fiscal Service; employees of the Fiscal Service; fiscal agents; and contractors.

CATEGORIES OF RECORDS IN THE SYSTEM:

The system contains information needed to establish accountability and audit control of digital certificates. It also contains records that are needed to authorize an individual's access to a Treasury network. Depending on the service(s) requested by the customer, information may also include:

- Personal identifiers—name, including previous name used, and aliases; organization, employer name and address; Social Security number, Tax Identification Number; physical and

electronic addresses; telephone, fax, and pager numbers; bank account information (name, type, account number, routing/transit number); Federal-issued photograph ID; driver's license information or state ID information (number, state, and expiration date); military ID information (number, branch, expiration date); or passport/visa information (number, expiration date, and issuing country).

- Authentication aids—personal identification number, password, account number, shared-secret identifier, digitized signature, other unique identifier.

The system contains records on public key data related to the customer, including the creation, renewal, replacement or revocation of digital certificates, including evidence provided by applicants for proof of identity and authority, sources used to verify an applicant's identity and authority, and the certificates issued, denied and revoked, including reasons for denial and revocation.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

5 U.S.C. 301, 31 U.S.C. 321, and the Government Paperwork Elimination Act, Pub. L. 105-277.

PURPOSES:

We are establishing the Fiscal Service Public Key Infrastructure System to:

(1) Use electronic transactions and authentication techniques in accordance with the Government Paperwork Elimination Act;

(2) Facilitate transactions involving the transfer of information, the transfer of funds, or where parties commit to actions or contracts that may give rise to financial or legal liability, where the information is protected under the Privacy Act of 1974, as amended;

(3) Maintain an electronic system to facilitate secure, on-line communication between Federal automated systems, and between Federal employees or contractors, by using digital signature technologies to authenticate and verify identity;

(4) Provide mechanisms for non-repudiation of personal identification and access to Treasury systems including, but not limited to SPS and ASAP; and

(5) Maintain records relating to the issuance of digital certificates utilizing public key cryptography to employees and contractors for purpose of the transmission of sensitive electronic material that requires protection.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

These records may be disclosed to:

(1) Congressional offices in response to an inquiry made at the request of the individual to whom the record pertains;

(2) Appropriate Federal, State, local, or foreign agencies responsible for investigating or prosecuting the violations of, or for enforcing or implementing a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of a potential violation of civil or criminal law or regulation;

(3) A court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations or in connection with criminal law proceedings or in response to a subpoena;

(4) A Federal, State, local or other public authority maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant to or necessary to the requesting agency's, bureau's, or authority's, hiring or retention of an individual, or issuance of a security clearance, license, contract, grant or other benefit;

(5) Agents or contractors who have been engaged to assist the Department in the performance of a service related to this system of records and who need to have access to the records in order to perform the activity;

(6) The Department of Justice when seeking legal advice or when (a) the Department of the Treasury or (b) the disclosing agency, or (c) any employee of the disclosing agency in his or her official capacity, or (d) any employee of the agency in his or her individual capacity where the Department of Justice has agreed to represent the employee, or (e) the United States, where the disclosing agency determines that litigation is likely to affect the disclosing agency, is a party to litigation or has an interest in such litigation, and the use of such records by the Department of Justice is deemed by the agency to be relevant and necessary to the litigation; and

(7) Representatives of the National Archives and Records Administration (NARA) who are conducting records management inspections under authority of 44 U.S.C. 2904 and 2906.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Records are maintained on electronic media, multiple client-server platforms

that are backed-up to magnetic tape or other storage media, and/or hard copy.

RETRIEVABILITY:

Records may be retrieved by name, alias name, Social Security number, Tax Identification Number, account number, or other unique identifier.

SAFEGUARDS:

These records are maintained in controlled access areas. Identification cards are verified to ensure that only authorized personnel are present. Electronic records are protected by restricted access procedures, including the use of passwords and sign-on protocols which are periodically changed. Only employees whose official duties require access are allowed to view, administer, and control these records. Copies of records maintained on computer have the same limited access as paper records.

RETENTION AND DISPOSAL:

Records are maintained in accordance with National Archives and Records Administration retention schedules. Paper and microform records ready for disposal are destroyed by shredding or maceration. Records in electronic media are electronically erased using accepted techniques.

SYSTEM MANAGERS AND ADDRESSES:

(1) Assistant Commissioner, Office of Information Technology, Bureau of the Public Debt, 200 Third Street, Parkersburg, WV 26101, and,

(2) Assistant Commissioner, Information Resources, and Chief Information Officer, Financial Management Service, 3700 East West Highway, Hyattsville, MD 20782.

NOTIFICATION PROCEDURE:

Individuals seeking notification and access to any record contained in the system of records, or seeking to contest its content, may inquire in accordance with instructions pertaining to individual Treasury components appearing at 31 CFR part 1, subpart C:

- Appendix I for records within the custody of the Bureau of the Public Debt, and,
- Appendix G for records within the custody of the Financial Management Service.

RECORD ACCESS PROCEDURES:

See "Notification procedure" above.

CONTESTING RECORD PROCEDURES:

See "Notification procedure" above.

RECORD SOURCE CATEGORIES:

The information contained in this system is provided by or verified by the

subject individual of the record, as well as Federal and non-Federal sources such as private employers.

EXEMPTIONS CLAIMED FOR THE SYSTEM:

None.

[FR Doc. 05-10854 Filed 5-31-05; 8:45 am]

BILLING CODE 4810-39-P

DEPARTMENT OF THE TREASURY

Office of Thrift Supervision

Submission for OMB Review; Comment Request—Loans in Areas Having Special Flood Hazards

AGENCY: Office of Thrift Supervision (OTS), Treasury.

ACTION: Notice and request for comment.

SUMMARY: The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act of 1995. OTS is soliciting public comments on the proposal.

DATES: Submit written comments on or before July 1, 2005.

ADDRESSES: Send comments, referring to the collection by title of the proposal or by OMB approval number, to OMB and OTS at these addresses: Mark D. Menchik, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10236, New Executive Office Building, Washington, DC 20503, or e-mail to mmenchik@omb.eop.gov; and Information Collection Comments, Chief Counsel's Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, by fax to (202) 906-6518, or by e-mail to infocollection.comments@ots.treas.gov. OTS will post comments and the related index on the OTS Internet Site at www.ots.treas.gov. In addition, interested persons may inspect comments at the Public Reading Room, 1700 G Street, NW., by appointment. To make an appointment, call (202) 906-5922, send an e-mail to publicinfo@ots.treas.gov, or send a facsimile transmission to (202) 906-7755.

FOR FURTHER INFORMATION CONTACT: To obtain a copy of the submission to OMB, contact Marilyn K. Burton at marilyn.burton@ots.treas.gov, (202) 906-6467, or facsimile number (202) 906-6518, Regulations and Legislation Division, Chief Counsel's Office, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

SUPPLEMENTARY INFORMATION: OTS may not conduct or sponsor an information

collection, and respondents are not required to respond to an information collection, unless the information collection displays a currently valid OMB control number. As part of the approval process, we invite comments on the following information collection.

Title of Proposal: Loans in Areas Having Special Flood Hazards.

OMB Number: 1550-0088.

Form Number: N/A.

Regulation requirement: 12 CFR part 572.

Description: Lending institutions are required by statute and OTS regulations to use the standard flood hazard determination form developed by FEMA

when determining whether property securing the loan is or will be located in a special flood hazard and are required to retain a copy of the completed form.

Type of Review: Renewal.

Affected Public: Savings Associations.

Estimated Number of Respondents: 882.

Estimated Number of Responses: 202,860.

Estimated Burden Hours per

Response: .25 hours.

Estimated Frequency of Response:

Event-generated.

Estimated Total Burden: 51,597 hours.

Clearance Officer: Marilyn K. Burton, (202) 906-6467, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552.

OMB Reviewer: Mark D. Menchik, (202) 395-3176, Office of Management and Budget, Room 10236, New Executive Office Building, Washington, DC 20503.

Dated: May 23, 2005.

By the Office of Thrift Supervision.

Richard M. Riccobono,

Acting Director.

[FR Doc. 05-10828 Filed 5-31-05; 8:45 am]

BILLING CODE 6720-01-P

Corrections

Federal Register

Vol. 70, No. 104

Wednesday, June 1, 2005

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF DEFENSE

Department of the Army; Corps of Engineers

Intent to Prepare a Draft Environmental Impact Statement (DEIS) for the Construction of a Proposed Disposal Site for Dredged Material in the Middle Branch of the Patapsco River, at Masonville, Baltimore City/Application for a Corps Section 10/404 Individual Permit

Correction

In notice document 05-10543 beginning on page 30421 in the issue of

Thursday, May 26, 2005, make the following corrections:

1. On page 30422, in the first column, under the heading “**FOR FURTHER INFORMATION CONTACT**”, in the 8th line, “410-972-6079” should read “410-962-6079”.

2. On the same page, in the second column, in the first line, after “material”, insert “as soon as the end of the 2007 dredging season and a shortfall in Harbor dredged material”.

[FR Doc. C5-10543 Filed 5-31-05; 8:45 am]

BILLING CODE 1505-01-D



Federal Register

**Wednesday,
June 1, 2005**

**Book 2 of 2 Books
Pages 31565–32218**

Part II

Department of Homeland Security

Customs and Border Protection

**Distribution of Continued Dumping and
Subsidy Offset to Affected Domestic
Producers; Notice**

DEPARTMENT OF HOMELAND SECURITY**Customs and Border Protection****Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers**

AGENCY: Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of intent to distribute offset for Fiscal Year 2005.

SUMMARY: Pursuant to the Continued Dumping and Subsidy Offset Act of 2000, this document is the Bureau of Customs and Border Protection's notice of intention to distribute assessed antidumping or countervailing duties (known as the continued dumping and subsidy offset) for Fiscal Year 2005 in connection with antidumping duty orders or findings or countervailing duty orders. This document sets forth the list of individual antidumping duty orders or findings and countervailing duty orders, together with the affected domestic producers associated with each order or finding who are potentially eligible to receive a distribution. This document also provides the instructions for affected domestic producers to file written certifications to claim a distribution in relation to the listed orders or findings.

DATES: Written certifications to obtain a continued dumping and subsidy offset under a particular order or finding must be received by August 1, 2005.

ADDRESSES: Written certifications and any other correspondence should be addressed to the Assistant Commissioner, Office of Finance, Bureau of Customs and Border Protection, Revenue Division, Attention: Leigh Redelman, P.O. Box 68940, Indianapolis, IN 46268. Any delivery by an express or courier service requiring a street address may be addressed to 6026 Lakeside Blvd., Indianapolis, IN 46278 if received on or before July 1, 2005. Any delivery by an express or courier service requiring a street address may be addressed to 6650 Telecom Drive, Suite 100, Indianapolis, IN 46278 if received after July 1, 2005.

FOR FURTHER INFORMATION CONTACT: For questions regarding certifications, contact Leigh Redelman, Revenue Division, (317) 614-4462. For questions regarding legal aspects, contact L. LaToya Burley, Office of Regulations and Rulings, (202) 572-8793.

SUPPLEMENTARY INFORMATION:**Background**

The Continued Dumping and Subsidy Offset Act of 2000 (CDSOA) was enacted

on October 28, 2000, as part of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 ("Act"). The provisions of the CDSOA are contained in title X (sections 1001-1003) of the Act.

The CDSOA, in section 1003 of the Act, amended title VII of the Tariff Act of 1930, by adding a new section 754 (codified at 19 U.S.C. 1675c) in order to provide that assessed duties received pursuant to a countervailing duty order, an antidumping duty order, or an antidumping duty finding under the Antidumping Act of 1921 must be distributed to affected domestic producers for certain qualifying expenditures that these producers incur after the issuance of such an order or finding. The term "affected domestic producer" means any manufacturer, producer, farmer, rancher or worker representative (including associations of such persons) that:

(A) Was a petitioner or interested party in support of a petition with respect to which an antidumping order, a finding under the Antidumping Act of 1921, or a countervailing duty order has been entered, and

(B) Remains in operation.

The distribution that these parties may receive is known as the continued dumping and subsidy offset.

List of Orders or Findings and Affected Domestic Producers

It is the responsibility of the U.S. International Trade Commission (USITC) to ascertain and timely forward to the Bureau of Customs and Border Protection (CBP) a list of the affected domestic producers that are potentially eligible to receive an offset in connection with an order or finding.

To this end, it is noted that the USITC has supplied CBP with the list of individual antidumping and countervailing duty cases, and the affected domestic producers associated with each case that are potentially eligible to receive an offset. This list appears at the end of this document.

Regulations Implementing the CDSOA

It is noted that CBP published a final rule, Treasury Decision (T.D.) 01-68 (Distribution of Continued Dumping and Subsidy Offset to Affected Domestic Producers), in the **Federal Register** (66 FR 48546) on September 21, 2001, which was effective as of that date, in order to implement the CDSOA. The final rule added a new subpart F to part 159 of title 19 (19 CFR part 159, subpart F (§§ 159.61-159.64)).

Notice of Intent to Distribute Offset

This document announces that CBP intends to distribute to affected domestic producers the assessed antidumping or countervailing duties that are available for distribution in Fiscal Year 2005 in connection with those antidumping duty orders or findings or countervailing duty orders that are listed in this document. Section 159.62(a) of title 19 (19 CFR 159.62(a)), provides that CBP will publish such a notice of intention to distribute assessed duties at least 90 days before the end of a fiscal year.

Certifications; Submission and Content

To obtain a distribution of the offset under a given order or finding, an affected domestic producer must submit a certification to CBP indicating that the producer desires to receive a distribution.

As required by 19 CFR 159.62(b), this notice provides the case name and number of the order or finding concerned, as well as the specific instructions for filing a certification under § 159.63 to claim a distribution. Section 159.62(b) also provides that the dollar amounts subject to distribution that were contained in the Special Account for each listed order or finding would appear in this notice. However, these dollar amounts were not available in time for inclusion in this publication. The preliminary amounts will be posted on the CBP Web site (<http://www.cbp.gov>), for purposes of enabling affected domestic producers to determine whether it would be worthwhile to file a certification in a given case. The final amounts available for disbursement may be higher or lower than the preliminary amounts.

A successor to a company appearing on the list of affected domestic producers in this notice, or a member company of an association that appears on the list of affected domestic producers in this notice where the member company does not appear on the list, should consult 19 CFR 159.61(b)(1)(i) or 159.61(b)(1)(ii).

Specifically, to obtain a distribution of the offset under a given order or finding, each affected domestic producer must timely submit a certification containing the required information detailed below as to the eligibility of the producer to receive the requested distribution and the total amount of the distribution that the producer is claiming. Certifications should be submitted to the Assistant Commissioner, Office of Finance, Revenue Division. The certification must enumerate the qualifying

expenditures incurred by the domestic producer since the issuance of an order or finding and it must demonstrate that the domestic producer is eligible to receive a distribution as an affected domestic producer.

As provided in 19 CFR 159.63(a), certifications to obtain a distribution of an offset must be received by CBP no later than 60 days after the date of publication of the notice of intent in the **Federal Register**. A list of all certifications received will be published on the CBP Web site shortly after the receipt deadline. This publication will not confirm acceptance or validity of the certification, but merely receipt of the certification.

While there is no established format for a certification, per 19 CFR 159.63(b) the certification must contain the following information:

1. The date of this **Federal Register** notice;
2. The Commerce case number;
3. The case name (product / country);
4. The name of the domestic producer and any name qualifier, if applicable (for example, any other name under which the domestic producer does business or is also known);
5. The address of the domestic producer (if a post office box, the secondary street address must also appear) including, if applicable, a specific room number or department;
6. The Internal Revenue Service (IRS) number (with suffix) of the domestic producer, employer identification number, or social security number, as applicable;
7. The specific business organization of the domestic producer (corporation, partnership, sole proprietorship);
8. The name(s) of any individual(s) designated by the domestic producer as the contact person(s) concerning the certification, together with the phone number(s) and/or facsimile transmission number(s) and electronic mail (e-mail) address(es) for the person(s);
9. The total dollar amount claimed;
10. The dollar amount claimed by category, as described in the section below entitled "Amount Claimed for Distribution";
11. A statement of eligibility, as described in the section below entitled "Eligibility to Receive Distribution"; and
12. A signature by a corporate officer legally authorized to bind the producer.

Qualifying Expenditures Which May Be Claimed for Distribution

Qualifying expenditures which may be offset by a distribution of assessed antidumping and countervailing duties encompass those expenditures that are incurred after the issuance of an

antidumping duty order or finding or a countervailing duty order, and prior to its termination, provided that such expenditures fall within any of the following categories: (1) Manufacturing facilities; (2) equipment; (3) research and development; (4) personnel training; (5) acquisition of technology; (6) health care benefits for employees paid for by the employer; (7) pension benefits for employees paid for by the employer; (8) environmental equipment, training, or technology; (9) acquisition of raw materials and other inputs; and (10) working capital or other funds needed to maintain production.

Amount Claimed for Distribution

In calculating the amount of the distribution being claimed as an offset, the certification must indicate: (1) The total amount of any qualifying expenditures currently and previously certified by the domestic producer, and the amount certified by category; (2) the total amount of those expenditures which have been the subject of any prior distribution under 19 U.S.C. 1675c; and (3) the net amount for new and remaining qualifying expenditures being claimed in the current certification (the total amount currently and previously certified as noted in item "(1)" above minus the total amount that was the subject of any prior distribution as noted in item "(2)" above). In accordance with 19 CFR 159.63(b)(2)(i)–(b)(2)(iii), CBP will deduct the amount of any prior distribution from the producer's claimed amount for that case. Total amounts disbursed by CBP under the CDSOA for Fiscal Year 2001, 2002, 2003, and 2004 are available on the CBP website.

Additionally, under 19 CFR 159.61(c), these qualifying expenditures must be related to the production of the same product that is the subject of the order or finding, with the exception of expenses incurred by associations which must relate to a specific case.

Eligibility To Receive Distribution

As noted, the certification must contain a statement that the domestic producer desires to receive a distribution and is eligible to receive the distribution as an affected domestic producer. Also, the domestic producer must affirm that the net amount certified for distribution does not encompass any qualifying expenditures for which distribution has previously been made (19 CFR 159.63(b)(3)(i)).

Furthermore, under 19 CFR 159.63(b)(3)(ii), where a party is listed as an affected domestic producer on more than one order or finding covering the same product and files a separate

certification for each order or finding using the same qualifying expenditures as the basis for distribution in each case, each certification must list all the other orders or findings where the producer is claiming the same qualifying expenditures.

Moreover, as required by 19 U.S.C. 1675c(b)(1) and 19 CFR 159.63(b)(3)(iii), the statement must include information as to whether the domestic producer remains in operation and continues to produce the product covered by the particular order or finding under which the distribution is sought. If a domestic producer is no longer in operation, or no longer produces the product covered by the order or finding, the producer will not be considered an affected domestic producer entitled to receive a distribution.

In addition, as required by 19 U.S.C. 1675c(b)(5) and 19 CFR 159.63(b)(3)(iii), the domestic producer must state whether it has been acquired by a company that opposed the investigation or was acquired by a business related to a company that opposed the investigation. If a domestic producer has been so acquired, the producer will not be considered an affected domestic producer entitled to receive a distribution.

The certification must be executed and dated by a party legally authorized to bind the domestic producer and it must state that the information contained in the certification is true and accurate to the best of the certifier's knowledge and belief under penalty of law, and that the domestic producer has records to support the qualifying expenditures being claimed (see section below entitled "Verification of Certification").

Review and Correction of Certification

A certification that is submitted in response to this notice of distribution may be reviewed before acceptance to ensure that all informational requirements are complied with and that any amounts set forth in the certification for qualifying expenditures, including the amount claimed for distribution, appear to be correct. A certification that is found to be materially incorrect or incomplete will be returned to the domestic producer as provided in 19 CFR 159.63(c). It is the sole responsibility of the domestic producer to ensure that the certification is correct, complete and satisfactory so as to demonstrate the entitlement of the domestic producer to the distribution requested. Failure to ensure that the certification is correct, complete and satisfactory will result in the domestic producer not receiving a distribution.

Verification of Certification

Certifications are subject to CBP's verification. Therefore, parties are required to maintain records supporting their claims for a period of five years after the filing of the certification (see 19 CFR 159.63(d)). The records must be those that are normally kept in the ordinary course of business. The records must support each qualifying expenditure enumerated in the certification and they must support how the qualifying expenditures are determined to be related to the production of the product covered by the order or finding.

Disclosure of Information in Certifications; Acceptance by Producer

The name of the affected domestic producer, the total dollar amount claimed by that party on the certification, as well as the total dollar amount that CBP actually disburses to that company as an offset, will be available for disclosure to the public, as specified in 19 CFR 159.63(e). To this extent, the submission of the certification is construed as an understanding and acceptance on the part of the domestic producer that this information will be disclosed to the public. Alternatively, a statement in a certification that this information is

proprietary and exempt from disclosure will result in CBP's rejection of the certification.

List of Orders or Findings and Related Domestic Producers

The list of individual antidumping duty orders or findings and countervailing duty orders is set forth below, together with the affected domestic producers associated with each order or finding that are potentially eligible to receive an offset.

Dated: May 20, 2005.

Richard Balaban,

Assistant Commissioner, Office of Finance.

BILLING CODE 4820-01-P

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| A-588-802 | 731-TA-389 | 3.5" Microdisks/Japan | Verbatim |
| A-588-055 | AA1921-154 | Acrylic Sheet/Japan | Polycast Technology |
| A-821-811 | 731-TA-856 | Ammonium Nitrate/Russia | Agrium Air Products and Chemicals El Dorado Chemical LaRoche Mississippi Chemical Nitram Wil-Gro Fertilizer |
| A-823-810 | 731-TA-894 | Ammonium Nitrate/Ukraine | Agrium Air Products and Chemicals Committee for Fair Ammonium Nitrate Trade El Dorado Chemical LaRoche Industries Mississippi Chemical Nitram Prodicta |
| A-427-098 | 731-TA-25 | Anhydrous Sodium Metasilicate/France | PQ |
| A-421-805 | 731-TA-652 | Aramid Fiber/Netherlands | E.I. du Pont de Nemours |
| A-570-853 | 731-TA-828 | Aspirin/China | Rhodia |
| A-489-602 | 731-TA-364 | Aspirin/Turkey | Dow Chemical Monsanto Norwich-Eaton |
| A-570-867 | 731-TA-922 | Automotive Replacement Glass Windshields/China | PPG Industries Safelite Glass Viracon/Curvlite, Inc Visteon Corporation |
| A-570-803 | 731-TA-457-A | Axes and Adzes/China | Council Tool Co, Inc Warwood Tool Woodings-Verona |
| A-570-803 | 731-TA-457-B | Bars and Wedges/China | Council Tool Co, Inc Warwood Tool Woodings-Verona |
| A-570-803 | 731-TA-457-C | Hammers and Sledges/China | Council Tool Co, Inc Warwood Tool Woodings-Verona |
| A-570-803 | 731-TA-457-D | Picks and Mattocks/China | Council Tool Co, Inc Warwood Tool Woodings-Verona |
| A-427-801 | 731-TA-392-A | Ball Bearings/France | Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rollway Bearings Torrington |
| A-427-801 | 731-TA-392-B | Cylindrical Roller Bearings/France | Emerson Power Transmission MPB |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-------------------------------------|--|
| | | | Rollway Bearings Torrington |
| A-427-801 | 731-TA-392-C | Spherical Plain Bearings/France | Emerson Power Transmission McGill Manufacturing Co Rollway Bearings Torrington |
| A-428-801 | 731-TA-391-A | Ball Bearings/Germany | Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rollway Bearings Torrington |
| A-428-801 | 731-TA-391-B | Cylindrical Roller Bearings/Germany | Emerson Power Transmission MPB Rollway Bearings Torrington |
| A-428-801 | 731-TA-391-C | Spherical Plain Bearings/Germany | Emerson Power Transmission Rollway Bearings Torrington |
| A-475-801 | 731-TA-393-A | Ball Bearings/Italy | Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rollway Bearings Torrington |
| A-475-801 | 731-TA-393-B | Cylindrical Roller Bearings/Italy | Emerson Power Transmission MPB Rollway Bearings Torrington |
| A-588-804 | 731-TA-394-A | Ball Bearings/Japan | Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rollway Bearings Torrington |
| A-588-804 | 731-TA-394-B | Cylindrical Roller Bearings/Japan | Emerson Power Transmission MPB Rollway Bearings Torrington |
| A-588-804 | 731-TA-394-C | Spherical Plain Bearings/Japan | Emerson Power Transmission Rollway Bearings Torrington |
| A-485-801 | 731-TA-395 | Ball Bearings/Romania | Emerson Power Transmission Kubar Bearings MPB Rollway Bearings Torrington |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|--|--|
| A-559-801 | 731-TA-396 | Ball Bearings/Singapore | Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rollway Bearings Torrington |
| A-401-801 | 731-TA-397-A | Ball Bearings/Sweden | Emerson Power Transmission Kubar Bearings MPB Rollway Bearings Torrington |
| A-401-801 | 731-TA-397-B | Cylindrical Roller Bearings/Sweden | Emerson Power Transmission MPB Rollway Bearings Torrington |
| A-412-801 | 731-TA-399-A | Ball Bearings/United Kingdom | Emerson Power Transmission Kubar Bearings McGill Manufacturing Co MPB Rollway Bearings Torrington |
| A-412-801 | 731-TA-399-B | Cylindrical Roller Bearings/United Kingdom | Emerson Power Transmission MPB Rollway Bearings Torrington |
| A-357-405 | 731-TA-208 | Barbed Wire and Barbless Wire Strand/Argentina | CF&I Steel Davis Walker Forbes Steel & Wire Oklahoma Steel Wire |
| A-570-880 | 731-TA-1020 | Barium Carbonate/China | Chemical Products Corp |
| A-570-007 | 731-TA-149 | Barium Chloride/China | Chemical Products |
| A-588-038 | AA1921-98 | Bicycle Speedometers/Japan | Avocet Cat Eye Diversified Products N.S. International Sanyo Electric Stewart-Warner |
| A-570-846 | 731-TA-744 | Brake Rotors/China | Brake Parts Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers Iroquois Tool Systems Kelsey Hayes Kinetic Parts Manufacturing Overseas Auto Parts Wagner Brake |
| A-351-603 | 731-TA-311 | Brass Sheet and Strip/Brazil | Allied Industrial Workers of America American Brass |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|------------------------------|--|
| | | | Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| C-351-604 | 701-TA-269 | Brass Sheet and Strip/Brazil | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| A-122-601 | 731-TA-312 | Brass Sheet and Strip/Canada | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| A-427-602 | 731-TA-313 | Brass Sheet and Strip/France | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| C-427-603 | 701-TA-270 | Brass Sheet and Strip/France | Allied Industrial Workers of America |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-------------------------------|--|
| | | | American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| A-428-602 | 731-TA-317 | Brass Sheet and Strip/Germany | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| A-475-601 | 731-TA-314 | Brass Sheet and Strip/Italy | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| A-588-704 | 731-TA-379 | Brass Sheet and Strip/Japan | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) North Coast Brass & Copper Olin Pegg Metals Revere Copper Products |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------------------------|---|
| | | | The Miller Company United Steelworkers of America |
| A-580-603 | 731-TA-315 | Brass Sheet and Strip/Korea | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| A-421-701 | 731-TA-380 | Brass Sheet and Strip/Netherlands | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) North Coast Brass & Copper Olin Pegg Metals Revere Copper Products The Miller Company United Steelworkers of America |
| A-401-601 | 731-TA-316 | Brass Sheet and Strip/Sweden | Allied Industrial Workers of America American Brass Bridgeport Brass Chase Brass & Copper Hussey Copper International Association of Machinists & Aerospace Workers Mechanics Educational Society of America (Local 56) Olin Revere Copper Products The Miller Company United Steelworkers of America |
| A-549-813 | 731-TA-706 | Canned Pineapple/Thailand | International Longshoreman's and Warehouseman's Union Maui Pineapple |
| A-570-892 | 731-TA-1060 | Carbazole Violet Pigment 23/China | Allegheny Color Corp Barker Fine Color, Inc Clariant Corp Nation Ford Chemical Co Sun Chemical Co |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|--|---|
| A-533-838 | 731-TA-1061 | Carbazole Violet Pigment 23/India | Allegheny Color Corp Barker Fine Color, Inc Clariant Corp Nation Ford Chemical Co Sun Chemical Co |
| C-533-839 | 701-TA-437 | Carbazole Violet Pigment 23/India | Allegheny Color Corp Barker Fine Color, Inc Clariant Corp Nation Ford Chemical Co Sun Chemical Co |
| A-351-832 | 731-TA-953 | Carbon and Certain Alloy Steel Wire Rod/Brazil | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| C-351-833 | 701-TA-417 | Carbon and Certain Alloy Steel Wire Rod/Brazil | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| A-122-840 | 731-TA-954 | Carbon and Certain Alloy Steel Wire Rod/Canada | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| C-122-841 | 701-TA-418 | Carbon and Certain Alloy Steel Wire Rod/Canada | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries |

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| | | | North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| A-560-815 | 731-TA-957 | Carbon and Certain Alloy Steel Wire Rod/Indonesia | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| A-201-830 | 731-TA-958 | Carbon and Certain Alloy Steel Wire Rod/Mexico | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| A-841-805 | 731-TA-959 | Carbon and Certain Alloy Steel Wire Rod/Moldova | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| A-274-804 | 731-TA-961 | Carbon and Certain Alloy Steel Wire Rod/Trinidad & Tobago | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| A-823-812 | 731-TA-962 | Carbon and Certain Alloy Steel Wire Rod/Ukraine | AmeriSteel Birmingham Steel Cascade Steel Rolling Mills Connecticut Steel Corp |

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| | | | Co-Steel Raritan GS Industries Keystone Consolidated Industries North Star Steel Texas Republic Technologies International Rocky Mountain Steel Mills |
| A-351-602 | 731-TA-308 | Carbon Steel Butt-weld Pipe Fittings/Brazil | Ladish Mills Iron Works Steel Forgings Tube Forgings of America Weldbend |
| A-570-814 | 731-TA-520 | Carbon Steel Butt-weld Pipe Fittings/China | Hackney Ladish Mills Iron Works Steel Forgings Tube Forgings of America |
| A-588-602 | 731-TA-309 | Carbon Steel Butt-weld Pipe Fittings/Japan | Ladish Mills Iron Works Steel Forgings Tube Forgings of America Weldbend |
| A-583-605 | 731-TA-310 | Carbon Steel Butt-weld Pipe Fittings/Taiwan | Ladish Mills Iron Works Steel Forgings Tube Forgings of America Weldbend |
| A-549-807 | 731-TA-521 | Carbon Steel Butt-weld Pipe Fittings/Thailand | Hackney Ladish Mills Iron Works Steel Forgings Tube Forgings of America |
| A-583-080 | AA1921-197 | Carbon Steel Plate/Taiwan | No Petition (Self-initiated by Treasury); Commerce Service List Identifies: Bethlehem Steel China Steel U.S. Steel |
| A-357-007 | 731-TA-157 | Carbon Steel Wire Rod/Argentina | Atlantic Steel Continental Steel Georgetown Steel North Star Steel Raritan River Steel |
| C-357-004 | 701-TA-A | Carbon Steel Wire Rod/Argentina | Atlantic Steel Continental Steel Georgetown Steel North Star Steel Raritan River Steel |
| A-580-811 | 731-TA-546 | Carbon Steel Wire Rope/Korea | Bridon American |

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| | | | Macwhyte Paulsen Wire Rope The Rochester Corporation United Automobile, Aerospace and Agricultural Implement Workers (Local 960) Williamsport Wire-rope Works Wire Rope Corporation of America |
| A-201-806 | 731-TA-547 | Carbon Steel Wire Rope/Mexico | Bridon American Macwhyte Paulsen Wire Rope The Rochester Corporation United Automobile, Aerospace and Agricultural Implement Workers (Local 960) Williamsport Wire-rope Works Wire Rope Corporation of America |
| A-570-827 | 731-TA-669 | Cased Pencils/China | Blackfeet Indian Writing Instrument Dixon-Ticonderoga Empire Berol Faber-Castell General Pencil J.R. Moon Pencil Musgrave Pen & Pencil Panda Writing Instrument Manufacturers Association, Pencil Section |
| A-588-405 | 731-TA-207 | Cellular Mobile Telephones/Japan | E.F. Johnson Motorola |
| A-588-862 | 731-TA-1023 | Certain Ceramic Station Post Insulators/Japan | Lapp Insulator Co, LLC Newell Porcelain Co, Inc Victor Insulators, Inc |
| A-570-884 | 731-TA-1034 | Certain Color Television Receivers/China | Five Rivers Electronic Innovations, LLC |
| A-570-895 | 731-TA-1070 | Certain Crepe Paper Products/China | American Crepe Corp Cindus Corp Paper, Allied-Industrial, Chemical and Energy Workers International Union AFL-CIO ("PACE") Seaman Paper Co of MA, Inc |
| A-552-801 | 731-TA-1012 | Certain Frozen Fish Fillets/Viet Nam | America's Catch Inc Aquafarms Catfish, Inc Carolina Classics Catfish Inc Catfish Farmers of America Consolidated Catfish Companies, Inc Delta Pride Catfish, Inc Fish Processors, Inc Guidry's Catfish, Inc Haring's Pride Catfish |

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| | | | Harvest Select Catfish (Alabama Catfish, Inc) Heartland Catfish Co (TT&W Farm Products, Inc) Prairie Lands Seafood (Illinois Fish Farmers Cooperative) Pride of the Pond Pride of the South Catfish, Inc Prime Line, Inc Seabrook Seafood, Inc Seacat (Arkansas Catfish Growers) Simmons Farm Raised Catfish, Inc Southern Pride Catfish LLC |
| A-351-838 | 731-TA-1063 | Certain Frozen or Canned Warmwater Shrimp and Prawns/Brazil | A. J. Horizon, Inc Al J Abadie Anthony Abadie Charles Abner Steven Abraham Ace of Trade, LLC Dale J Ackerman Darryl L Acosta Jerry J Acosta, Sr Leonard C Acosta Wilson Acosta, Sr Ad Hoc Shrimp Trade Action Committee Denise T Adam Michael A Adam Richard B Adam, Jr Sherry P Adam William E Adam Alcide J Adams, Jr Dudley Adams Elizabeth Adams Ervin Adams George E Adams Hursy J Adams James Arthur Adams Kelly Adams Lawrence J Adams, Jr Randy Adams Ritchie Adams Steven A Adams Ted J Adams Tim Adams Whitney P Adams, Jr Ralph Agoff Ricardo Aguilar Roddy G Aguilard Don Ray Alario Nat Alario |

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| | | | Pete J Alario Timmy Alario Craig J Albert Junior J Albert Aldebran, Inc Everett O Alexander Benny J Alexie Corkey A Alexie Dolphy Alexie Felix Alexie, Jr Gwendolyn Alexie John J Alexie John V Alexie Larry J Alexie, Sr Larry Alexie, Jr Vincent L Alexie, Jr Barry S Alexis Craig W Alexis Michael & Monique Alexis Anthony E Alfonso, Jr Jesse Alfonso Nicholas Alfonso Paul A Alfonso Randy Alfonso Terry S Alfonso, Jr Vernon Alfonso, Jr Yvette Alfonso Angelo A Alimia, Jr Dean J Allemand Annie Allen Carolyn Sue Allen Jackie & Robin Allen Wayne Allen Wilbur L Allen Willie J Allen, III Willie Allen, Sr John Alphonso Alysia Renee, Inc Leo J Ancalade Claudene Ancar Jerry T Ancar Joe C Ancar Menlin Ancar, Sr William Ancar, Sr Gerald Ray Ancelet Andrew D Anderson Ernest W Anderson |

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| | | | Jerry Anderson John Anderson Lynwood Anderson Melinda Rene Anderson Michael Brian Anderson Ronald L. Anderson, Jr Ronald L. Anderson, Sr Ronnie Anderson, Jr Miguel Andonie Anthony R Andrews Janice M Andry Rodney S Andry Angel Seafood, Inc Angela Marie, Inc Louis Angelle Eugene Anglada, Sr Anna Grace LLC Annie Thornton, Inc Lester Ansardi Darren Anselmi Apalachee Girl, Inc Aparicio Trawlers Inc dba Marcosa Georgia P Arabie Joseph Arabie Craig J Arcement Donald Arcement, Sr Lester C Arcement Mathew J Arceneaux Michael K Arceneaux Christopher J Areas John Armbruster, III Paula D Armbruster Jude Armstrong, Jr George Arnesen Lonnie L. Arnold, Jr Joseph T Arnona Robert Arnondin Floyd Assavedo Gregory Kenneth Atwood Kenny Atwood Dewey F Aucoin Earl Aucoin Laine A Aucoin Perry J Aucoin Dennis Austin Dennis J Austin Brice Authement |

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| | | | Craig L Authement Dion J Authement Dion S Authement Gordon Authement Lance M Authement Larry Authement Larry Authement, Sr Roger J Authement Sterling P Authement Bobby Autin Bruce J Autin Kenneth D Autin Marvin J Autin Paul F Autin, Jr Roy Autin Albert J Avenel, Jr Conny Babb Brad Babin Joey L Babin Klint Babin Kirby Babineaux Vicki Babineaux Ke Van Bach Reo Long Bach Benny Backman Todd Badeaux Dewayne Baham Albert Bailey Antoine Bailey, III David B Bailey, Sr Don Bailey Clarence Baker Donald Earl Baker James Baker Kenneth Baker Antonio Balderas Richard Prentiss Baldwin Albert Ballard Barbara A Ballas Charles J Ballas John F Baltz Bama Sea Products, Inc John Ban Bruce K Bang Barbara Brooks, Inc Joe W Barbaree Mark A Barbe |

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| | | | Louie W Barber, Sr Percy T Barbier Raymond A Barbour James E Bargainear George A Barisich Barisich, Inc Joseph J Barisich Nathan Barnhill Clarence Barrios (2) Corbert J Barrios Corbert M Barrios David Barrios John Barrios Shane James Barrios Angela Gail Barrois Dana A Barrois Tracy James Barrois Wendell Jude Barrois, Jr Keith Barthe, Sr Allen M Barthelemy John A Barthelemy Rene T Barthelemy, Sr Walter A Barthelemy, Jr Mitchell Bartholomew Neil W Bartholomew Thomas E Bartholomew Wanda C Bartholomew Donald J Basse, Sr Mark Bates Ted Bates, Jr Vernan Bates, Jr Louis Battle Drake J Baudoin Murphy A Baudoin Stephen Baudouin Gary Bauer Glen P Baye Bayou Shrimp Processors, Inc Charles A Bean Glenn J Becnel Kent Becnel Carold F Beecher Ronald Beechler James E Bell Ronald A Bell Arnold Bellanger Clifton Bellanger |

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| | | | Scott J Bellanger Derrell M Belsome Karl M Belsome Gary Lynn Bennett James W Bennett, Jr Louis Bennett Francis Benoit Nicholas L Benoit Paula T & Tenna J Benoit, Jr Walter T Benton Ray W Berger Alfred S Bergeron Jeff Bergeron Nolan A Bergeron Ulysses J Bergeron Lamont L Bernard Mark J Berner Gerard J Berthelot, Sr James Berthelot Myron J Berthelot Jerl C Bertrand Best Sea-Pack of Texas, Inc Beth Lomonte, Inc Keith J Beverung Raymond W Bianchini Leo E Bickham Charles Bienvenu Big Grapes, Inc Jerry W Biggs, Sr Richard Billington Alfredia Billiot Arthur Billiot Aubrey & Betty Billiot Barell J Billiot Brian K Billiot Cassidy Billiot Charles Billiot, Sr Chris J Billiot, Sr E J E Billiot Earl W Billiot, Sr Ecton L Billiot Emary Billiot Forest Billiot, Jr Gerald Billiot Harold J Billiot Jacco A Billiot Jake A Billiot |

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| | | | James Billiot, Jr Joseph S Billiot, Jr Laurence V Billiot Leonard F Billiot, Jr Lisa Billiot Mary L Billiot Paul J Billiot, Sr Shirley L Billiot Steve M Billiot Thomas Adam Billiot Thomas Billiot, Sr Wenceslaus Billiot, Jr Alexander J Billiott Yale Biron William C Black Larry E Blackston Albert Blanchard Andrew J Blanchard Billy J Blanchard Cyrus Blanchard Daniel A Blanchard Dean Blanchard Douglas Blanchard, Jr Dwayne Blanchard Elgin Blanchard Gilbert Blanchard Jade Blanchard John F Blanchard, Jr Katie Blanchard Matt Joseph Blanchard Michael Blanchard Quentin T Blanchard Quentin Timothy Blanchard Roger Blanchard, Sr Quyen Bland Roy A Blouin Jack Blume, Jr Raymond Blunet, Sr Arturo Bodden Jasper Bodden Darren W Bolotte Larry F Bolton Bon Secour Boats, Inc Bon Secour Fisheries, Inc Paul J Bondi Jimmy J Bonvillain Donna M Bonvillian |

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| | | | Clifton Felix Boone Donald F (Ricky) Boone, III Donald F Boone, II Gregory T Boone Noriss P Boquet, Jr Wilfred Boquet, Jr Glenn Bordelon, Sr James P Bordelon Shelby P Bordelon Benny Borden Crystal & Edward Borne Dina L Borne Edward Borne, Jr Edward Borne, Sr Hubert L Bosarge Robert Bosarge Durel A Boudlauch, Jr Larry Terrell Boudoin Nathan Boudoin Brent J Boudreaux Elvin J Boudreaux, III James C Boudreaux, Jr James N Boudreaux Jessie Boudreaux Leroy A Boudreaux Mark Boudreaux Paul Boudreaux, Sr Richard D Boudreaux Ronald Boudreaux, Sr Sally Boudreaux Veronica Boudreaux Dwayne Boudwin Jewel James Boudwin, Sr Wayne Boudwin Norman Bouise Irwin J Boulet, Jr Debra Boullion Allen T Bourg Benny Bourg Chad J Bourg Channon Bourg Chris Bourg Douglas Bourg Glenn A Bourg Jearmie Bourg, Sr Kent A Bourg Mark Bourg |

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| | | | Nolan P Bourg Ricky J Bourg Albert P Bourgeois Brian J Bourgeois, Jr Daniel Bourgeois Dwayne Bourgeois Jake Bourgeois Johnny M Bourgeois Johnny M Bourgeois, Jr Leon A Bourgeois Louis A Bourgeois Merrie E Bourgeois Randy P Bourgeois Reed Bourgeois Webley Bourgeois Chris Bourn Murphy Paul Bourque Ray Bourque Duvic Bousegard, Jr Manuel J Boutte, Jr Colbert A Bouvier, II Dale J Bouzigard Edgar J Bouzigard, III Eeris Bouzigard Harold Bowers Tommy Bowers Danny Boy David E Boyd, Sr Elbert Boyd Darren L Boykin Thomas C Boykin James Bradley Brian Brady Kay Brandhurst Ray E Brandhurst, Sr David G Braneff William P Brannan Donald James Branom, Jr James M Braud Frank J Brazan Irvin F Breaud, Jr Barbara & Shelby Breaux Brian J Breaux Charlie M Breaux Clifford Breaux Colin E Breaux Daniel Breaux, Jr |

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| | | | Larry J Breaux Robert J Breaux, Jr Robert F Briscoe, Jr L D Britsch, Jr Dwayne E Broussard Eric Broussard Keith Broussard Larry Broussard Mark A Broussard Roger David Broussard Roger R Broussard Steve P Broussard Cindy B Brown Colleen Brown Donald G Brown John W Brown Paul R Brown Toby H Brown Adam J Bruce Bob R Bruce Daniel M Bruce, Sr Emelda L Bruce Gary J Bruce, Sr James P Bruce Lester J Bruce, Jr Margie L Bruce Mary P Bruce Nathan Bruce Robert Bruce Russell Bruce Peter Brudnock, Sr Elton J Brunet Joseph Brunet Joseph A Brunet Levy J Brunet, Jr Bryan Fishermens' Co-op, Inc David N Bryan Ina Fay V Bryant Jack D Bryant, Sr James L Bryant Bubba Daniels, Inc Ernest Buford Ben Bui Dich Bui Dung Thi Bui Huong T Bui Ngan Bui |

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| | | | Nhuan Bui Nuoi Van Bui Tai Bui Tieu Bui Tommy Bui Bumble Bee Seafoods, LLC Belvina (Kenneth) Bundy Kenneth Bundy, Sr Nicky Bundy Ronald J Bundy John Buquet, Jr Clayton M Buras Leander Buras Robert M Buras, Jr Waylon J Buras Elliott C Burlett John C Burlett, Jr Burnell Trawlers, Inc Charles R Burnell Deanna Lea Burnham Stuart E Burns Lindsey Hilton Burroughs, Jr Ronnie Burton Hardy E Busby Tex H Busby Robert A Bush Tyler Bussey Dorothy Butcher Rocky J Butcher Albert A Butler Aline Butler Johnny Bychurch Johnny Bychurch, Jr Alex Cabanilla Jose Santos Caboz Anthony Cacioppo, Jr Mae Quick Cadere Ronald Cadere Jack Cahill Stanford Caillouet, Jr Jerry Lane Caison, Jr Stephen P Calcagno, Sr John S Calderone Gene P Callahan, Sr Michael J Callahan Russell Callahan Ann Callais |

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| | | | Franklin D Callais Gary D Callais Michael Callais (2) Sandy Callais Terrence Callais Anna Camardelle Chris J Camardelle David Camardelle Edward J Camardelle, III Edward Camardelle, Jr Harris A Camardelle Knowles Camardelle Noel T Camardelle Tilman Camardelle, Jr John A Caminita, III Donald Paul Campo Kevin Campo Nicholas J Campo Roy Campo Roy Campo, Sr Ernest M Camus, Jr Carl Canova Alvin Cantrelle Eugene J Cantrelle Otis A Cantrelle Otis Cantrelle, Jr Phillip A Cantrelle Tate Cantrelle Robert Joseph Canty Binh Cao Quang Billy Viet Cao Dan Dien Cao Dung Van Cao Heip A Cao Huyen Linh Cao Nghia Thi Cao Si-Van Cao Thanh Kim Cao Tuong Van Cao Capt Chance, Inc Capt. Aaron Capt. Bean (Richard A Ragas) Capt. Bubba, Inc Capt. Carlos Trawlers, Inc Capt. Craig, Inc. Capt. Dickie V, Inc Capt. Doug |

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| | | | Capt. GDA, Inc Capt. JDL, Inc Capt. Jimmy Inc Capt. Ken Capt. Seth, Inc Capt. Wally, Inc Captain Arnulfo, Inc Jack G Carinhas, Jr Gregory Carlos Irvin Carlos Carly Sue, Inc David J Carmadelle Rudy J Carmadelle Larry G Carmandelle Carolina Sea Foods, Inc Anthony T Carrere, Jr Larry J Carrier Carson & Co, Inc Michael Caruso David W Casanova, Sr Alphonse G Cassagne, III Alphonse G Cassagne, IV Joseph Casso Gilbert Castelin Sharon Castelin Raul L Castellanos John A Castelluccio, Jr Joshua Castille Adolph Caulfield, Jr Hope Caulfield James & Jean Caulfield Salvador Cepriano Julius W Cerdes, Jr Marla Cerise CF Gollott and Son Seafood, Inc John Chabert Dean J Chaisson Henry Chaisson Vincent A Chaisson Thomas B Chaix, III Brian Champagne Harold P Champagne Kenton Champagne Leroy Champagne Lori Champagne Timmy D Champagne Willard Champagne |

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| | | | Kim J Champlin Jason Chance Jeff Chancey Arturo Chapa Robert G Chaplin, Sr Saxby S Chaplin Charlee Girl Christopher Charles Charlotte Maier, Inc Allen J Charpentier Alvin Charpentier Daniel J Charpentier Lawrence Charpentier Linton Charpentier Melanie Charpentier Murphy Charpentier, Jr Robert J Charpentier Michelle Chartier Minh Huu Chau Anthony Chauvin Anthony P Chauvin, Jr Carey M Chauvin David James Chauvin James E Chauvin Kimberly Kay Chauvin Alton Bruce Cheeks Ricky Chenier Alan Cheramie Alan J Cheramie, Jr Alton J Cheramie Berwick Cheramie, Jr Berwick Cheramie, Sr Daniel James Cheramie, Sr Danny Cheramie David J Cheramie David P Cheramie Dickey & Robbie Cheramie Donald Cheramie Enola & Murphy J Cheramie Flint Cheramie Harold L Cheramie Harry Cheramie, Jr Harry Cheramie, Sr Harvey Cheramie, Jr Harvey Cheramie, Sr Henry J Cheramie, Sr James Cheramie |

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| | | | James A Cheramie Jody P Cheramie Joey J Cheramie Johnny Cheramie Joseph Cheramie Lee Allen Cheramie Linton J Cheramie Mark A Cheramie Murphy J Cheramie Nathan A Cheramie, Sr Neddy P Cheramie Nicky J Cheramie Ojess M Cheramie Paris P Cheramie Robbie Cheramie Rodney E Cheramie, Jr Ronald Cheramie Roy Cheramie Roy A Cheramie Sally K Cheramie Terry J Cheramie Timmy Cheramie Tina Cheramie Todd Cheramie Tommy Cheramie Wayne A Cheramie Wayne F Cheramie, Sr Wayne J Cheramie Webb Cheramie, Jr Mitch Chevalier Thomas J Chew Jody J Chiasson Manton P Chiasson, Jr Gordon Childress Arthur Chisolm Henry Chisolm, Jr David Christen, Jr Vernon Christen Long V Chung Ngo V Chuong Vance Ciacchio Bozidar Cibilic John Cieutat Albino Cisneros James M Clark Jenings Clark Mark A Clark |

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| | | | Ricky L Clark Michael A Cobb Jimmy Cochran Ernest Coleman Freddie Coleman, Jr Rodney A Colletti Ervin J Collier Wade Collier Bernard J Collins Bruce J Collins, Jr Donald Collins Earline Collins Eddie F Collins, Jr Jack Collins (2) Julius Collins Lawson Bruce Collins, Sr Lindy S Collins, Jr Logan A Collins, Jr Robert Collins Timmy P Collins Vendon Collins, Jr Wilbert Collins, Jr Woodrow Collins Chris & Michelle Colson Michael J Comardelle Allen J Comeaux Curtis J Compeaux Gary P Compeaux Harris Compeaux Jody Cone Van Phan Cong Mario Contreras Edwin A Cook, Jr Edwin A Cook, Sr Joshua Cook Larry R Cook, Sr Theodore D Cook Ernest Neal Cooksey Acy J Cooper, III Acy J Cooper, Jr Acy Cooper, Sr Christopher W Cooper Jon C Cooper Marla F Cooper Vincent J Cooper John R Copeman Roger Cornwall |

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| | | | Brenda M & Daniel Cortez Cathy & Curtis Cortez Edgar Cortez Keith J Cortez Leslie J Cortez Robert K Cosse Clayton Coston John Gordon Cotsovolos Allen J Coulon, Jr Allen J Coulon, Sr Amy M Coulon Cleveland F & Earline N Coulon Darrin M Coulon Don Coulon Ellis Coulon, Jr Country, Inc Ronnie Courville Michael Dudley Cowdrey Michael Nelson Cowdrey Michael T Crain Brian D Crawford Steven J Crawford Quentin Creamer Todd A Credeur, Sr Tony J Credeur Carlton Creppel Catherine Creppel Craig Creppel Freddy Creppel Isadore Creppel, Jr Julinne G Creppel, III Kenneth Creppel (2) Nathan J Creppel, Jr Michael P Creppel Charles J Cristina Sterling James Crochet Tony J Crochet Benjy J Crosby Darlene Crosby Leonard W Crosby, Jr Ted J Crosby Thomas Crosby Lonnie Crum Melinda Cubbage Anthony J Cuccia Anthony J Cuccia, Jr Kevin Cuccia |

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| | | | Bryan E Cumbie Hung Cuong Mike Cure Keith J Curole Kevin P & Margaret B Curole Willie P Curole, Jr Custom Pack, Inc Jason Cutrer T Cvitanovich D.G. & R.C., Inc D.S.L & R., Inc DaHa, Inc/Cat'Sass Alfred Daigle David J Daigle E J Daigle Glenn Daigle Jamie J Daigle Jason Daigle Kirk Daigle Leonard P Daigle Lloyd Daigle Louis J Daigle Melanie Daigle Michael & JoAnne Daigle Michael J Daigle Nona & Cleve Daigle Jeff Daisy Cleveland L Dale David Dang Khang Dang Loan Thi Dang Minh Dang Tao Kevin Dang Thang Duc Dang Thien Van Dang Thuy Dang Van D Dang David Daniels Henry Daniels Leslie Daniels Albert Danos, Sr James A Danos Jared Danos Oliver Danos Oliver J Danos Ricky P Danos Rodney Danos |

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| | | | Timothy A Danos Debi d'Antignac Jack d'Antignac Archie A Dantin Mark S Dantin, Sr Stephen Dantin, Jr Paul Dao Vang Dao Chrysti Dao-Nguyen Albert L Darda, Jr Gertrude & Herbert Darda J C Darda Jeremy & Tammy Darda Trudy Darda Alvin Dardar Basil Dardar, Sr Basile J Dardar Cindy Dardar David Dardar Donald S Dardar Edison S Dardar, Sr Gayle & Gilbert Dardar Isadore J Dardar, Jr Jacqueline Dardar Jonathan M Dardar Lanny Dardar Larry J Dardar Mary Dardar Neal A Dardar Norbert Dardar Percy B Dardar Rose Dardar Rusty J Dardar Samuel Dardar Summersgill Dardar Terry & Patti V Dardar Toney M Dardar, Jr Toney Dardar, Sr Stephen Dargis Louis Dassau David Gollott Sfd Inc Philip J David, Jr Cliff Davis Daniel A Davis Danny A Davis James Davis John W Davis |

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| | | | Joseph D Davis Michael Steven Davis Ronald B Davis William T Davis, Jr William Theron Davis Ilene L Dean John N Dean Stephen Dean Deau Nook Brian K DeBarge Thomas D & Sherry DeBarge Debbe Anne, Inc John Decoursey Walter Dedon Deep Sea Foods, Inc/Jubilee Foods, Inc Darryl Deere David E Deere Dennis H Deere Robin & Tracie L Defelice Ashton J DeHart, Sr Bernard J Dehart Blair Dehart Clevis Dehart Clevis Dehart, Jr Curtis P DeHart, Sr Eura Dehart, Sr Ferrell Dehart Leonard M Dehart David E DeHillier Chris N DeJean, Jr & Chris N DeJean, Sr Bonnie D Dekemel WM Dekemel, Jr Avery T DelaCruz Ten Chie & Paul Delande Michael J Delatte, Sr Kip M Delaune Thomas J Delaune Todd J Delaune Carroll A Delcambre Jesse Delgado Carlton & Lorene Delino Stephen W Deloach, Jr Herman J Demoll, Jr Herman J Demoll, Sr James C Demoll, Jr Ralph Demoll Robert C Demoll |

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| | | | Terry R Demoll Freddy Demolle Otis Demolle Fred Dennis Barbara H Deroche Caghe Derouen Rodney Deshotel David DeSilvey Byron J Despaux Byron J Despaux, Jr Glen A Despaux Ken Despaux Kerry Despaux Suzanne Despaux David E Detillier Bobby C DeVaney, Jr Wesley Frank Dickey Vu Diep Anita & Corbert Dinger, Sr Eric Dinger Mark H Dinger Chau T Dinh Khai Duc Dinh Lien Dinh Toan Dihn Ernest Dion Paul A Dion Thomas Autry Dion Paul A Disalvo Robert E Dismuke, Sr Dominick Ditcharo, III David Dixon Cuong V Do Dan C Do Dung V Do Hai Van Do Hieu Do Hong Ky Do Hung Do Hung V Do Johnny Do Kiet Van Do Ky Quoc Do Lam Do Liet Van Do Luong Van Do Minh Do |

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| | | | Minh Van Do Nghiep Van Do Ta Do (2) Ta Phon Do Thanh V Do Theo V Do Tinh Do Tinh A Do Tri Do Joseph Doan Minh Doan & Liem Doan Ngoc Doan Darryl Domangue Emile Domangue Mary Domangue Michael Domangue Paul Domangue Ranzell Domangue, Sr Stephen Domangue Westley Domangue Carolyn Domingo Amy R Dominique Gerald Dominique Ernest N Donini David C Donnelly Holly M Donohue Donovan Tien I & II Denise F Dooley Craig B Dopson Presley J Dore Preston J Dore, Jr Janthan C Dorr, Jr Paul J Doucet, Sr Colleen Downey Robert Lee Doxey, Sr Ruben A & William L Doxey John T Doyle Dragnet, Inc John Drawdy Bruce W Drury, Jr Bruce W Drury, Sr Bryant J Drury Eric S Drury Helen M Drury Jeff Drury, III Kevin Drury Kevin S Drury, Sr |

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| | | | Steve R Drury Steven J Drury James F Dubberly (3) James Michael Dubberly James Michael Dubberly, Jr John J Dubberly Euris A Dubois John D Dubois, Jr Lonnie J Dubois Louie J Dubois Kermit Paul Duck Anthony Dudenhefer Connie S Dudenhefer Eugene A Dudenhefer Milton J Dudenhefer, Jr Brad J Duet Darrel A Duet Guy Duet Jace J Duet Jay Duet John P Duet Larson Duet Ramie Duet Raymond J Duet Tammy B Duet Tyrone Duet Archie Dufrene Charles Dufrene Curt F Dufrene Elson A Dufrene Eric Dufrene Eric F Dufrene, Jr LLC Golden J Dufrene Jeremy M Dufrene Juliette B & Scottie M Dufrene Leroy J Dufrene Milton Dufrene Ronald A Dufrene, Jr Ronald A Dufrene, Sr Toby Dufrene Edward A Dugar, II Donald John Dugas Edward A Dugas, III Henri J Dugas, IV Greta Duhe Dunamis Towing, Inc Faye E & Gary Duncan |

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| | | | Loyde C Duncan Bob Dunn Billy Duong Chamroeun Duong E M Duong Ho T Duong Kong Duong Mau Duong Blair P Duplantis David Duplantis Frankie J Duplantis Maria Duplantis Teddy Duplantis Wedgir Duplantis, Jr Anthony James Duplessis, Sr Bonnie S Duplessis Clarence R Duplessis Brandon P Dupre Cecil Dupre David A Dupre Davis J Dupre, Jr Easton J Dupre Jimmie Dupre, Sr Linward P Dupre Mary L Dupre Michael J Dupre Michael J Dupre, Jr Randall P Dupre Richard A Dupre Rudy P Dupre Ryan A Dupre Tony J Dupre Troy A Dupre Bryan Dupree Derrick Dupree Malcolm J Dupree, Sr Clayton J Dupuis Walter Y Durand Melvn A Dusang Denval H Duval, Sr Wayne Duval Nadine D Dyer Bert L Dykes Adley L Dyson, Jr Adley L Dyson, Sr Amy Dyson Casandra Dyson |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | Clarence Dyson, III Jimmy L Dyson, Sr Jimmy Dyson, Jr Kathleen Dyson Maricela Dyson Phillip Dyson, II Phillip Dyson, Sr William Dyson Bill Eckerd Angela B Edens Donnie Edens Jeremy Donald Edens Nancy M Edens Steven L Edens Timothy Dale Edens Daniel Edgar Joey Edgar Roosevelt Edgerson Edward Garcia Trawlers Tommy Edwards Jody D Ellerbee David Ellison, Jr Elmira Pflueckhahn, Inc Alfred Encalade, Jr Anthony T Encalade Cary Encalade Joshua C Encalade Stanley A Encalade Joseph L Enclade Michael Enclade & Jeannie Pitre Rodney J Enclade Alfred Englade A L Ennis, Jr Enterprise Inc Grant Erickson Carroll Erlinger Gary R Erlinger Keith A Eschete Benny A Esfeller Kenneth Eskine Ernest J Esponge David James Estaves, Sr Ricky Joseph Estaves Allen J Estay Wayne Estay Anthony E Esteves, Jr Orestes Estrada |

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| | | | Emile J Evans, Jr Kevin J Evans Lester Evans Lester J Evans, Jr Tracey J Evans, Sr George C Everson Brian P Eymard, Sr Jervis J & Carolyn B Eymard Morris C Fabiano Mark Fabra Alton Fabre, Jr Ernest J & Peggy B Fabre Kelly V Fabre Sheron Fabre Terry A Fabre Wayne M Fabre Mitchell J Falcon Barney Falgout Jerry P Falgout Leroy J Falgout Timothy J Falgout Barry Fanguy Thomas J Farris Christopher J Fasone William J Fasone Lester J Faulk Thomas J Favaloro Michael Favre, Jr Jeffery Fazende Thomas Fazende Thomas G Fazende Anthony Fazzio Douglas Fazzio Maxine & Steve Fazzio E J Felarise Wayne A Felarise, Sr Laudelino Fernandez Audrey B Ferrara Dominick Ficarino, Jr Bryan Fields Anthony F Fillinich Anthony Fillinich, Sr Jack Fillinich Penny Fincher William Fincher Burton E Fisch Kelly Fisher |

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| | | | Kirk Fisher Kirk A Fisher Fisherman's Reef Shrimp Co Adam Fitch Hanson Fitch Burnell Fitzgerald Kirk Fitzgerald Kirk D Fitzgerald Ricky J Fitzgerald, Jr John M Fleming Meigs F Fleming Mike Fleming Dana Flick Helena D Flores Thomas Flores Steve W Flowers Vincent F Flowers David M & Mary Folse Heath Folse Ronald B Folse Francis Fonseca, Sr William S Fontaine Peggy D Fontenot Judy Ford Warren Wayne Ford Ralph Foreman, Jr Alva J Foret Billy J Foret Brent J Foret Glenn Foret Houston Foret Lovelace A Foret, Sr Loveless A Foret, Jr Mark M Foret Patricia C Foret David P Forrest John Forsythe Fortune Shrimp Co, Inc Michael A Fortune George J France Albert Francis James K Franklin Anthony Frankovich Michael Franks Richard Wayne Frauenberger David J Frazier David M Frazier |

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| | | | James Frazier Michael Frazier Davis Frederick Johnnie & Jeannie Frederick Michael Frederick Freedom Fishing, Inc Arthur D Freeman Darrel P Freeman, Sr Larry Scott Freeman Charles P Frelich Floyd J Frelich Kent Frelich Doug Frerics Albert R Frerks, Jr Darell Frickey Darren Frickey Dirk I Frickey Eric J Frickey Harry J Frickey, Jr Jimmy Frickey Rickey J Frickey Westley Frickey Brad Friloux Jeanette M Frisella Jerome A Frisella, Jr Wade P Fruge G & O Shrimp Co, Inc G. R. LeBlanc Trawlers, Inc James Gadson Dwayne Gaines Christine Gala Jess J Galjour Reed Galjour John W Gallardo Anthony Galliano Horace J Galliano Joseph Galliano, Sr Logan J Galliano Lynne L Galliano Moise Galliano, Jr A T Galloway, Jr Giles F Galt Luvencie J Gambarella Kristine Ganoi Ana M Garcia Anthony Garcia Edward Garcia |

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| | | | Joseph Garcia Kenneth Garcia Larry S Garner Dalton J Gary Ernest J Gary Leonce Gary, Jr Andrew Garza Jose H Garza Elbert Clinton & Sandra Gaskill Timothy Gaspar Dudley A Gaspard, Jr Hazel C Gaspard & Aaron Gaspard Leonard J Gaspard Michael Gaspard, Sr Murry Gaspard Murry A Gaspard, Jr Murry Gaspard, Sr Murvin Gaspard Ronald W Gaspard, Sr Ronald Wayne Gaspard, Jr Elizabeth & Gregory M Gaubert Melvin Gaubert Allen J Gaudet, IV Ricky Gaudet, Jr Hewitt J Gauthier, Sr William A Gautreaux Norman F Gay Robert G Gay Daryl G Gazzier Emanuel A Gazzier Wilfred E Gazzier William F Gegenheimer James Geiling Tony Geisman Robert Gentry Samuel W Gentry, Jr James J George, Jr Clara Gerica Peter Gerica Corey P Giambrone Eddie E Gibson Joseph Gibson Ronald F Gibson James D Gillikin Chad Paul Girard Mark Giroir Anthony J Gisclair |

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| | | | Anthony Joseph Gisclair, Sr August Gisclair Dallas J Gisclair, Sr Doyle A Gisclair Kip J Gisclair Romona Gisclair Wade Gisclair Walter Gisclair Charles D Glover Larry Glynn George Goetz Robert E Goings Gold Coast Seafood, Inc Golden Gulf Coast Pkg Co, Inc George T Golden William L Golden Brian Gollot Edgar R Gollot Gollott Brothers Sfd Co, Inc Arnold Gonzales, Jr Mrs Cyril E Gonzales, Jr Rene R Gonzales Rudolph S Gonzales Rudolph S Gonzales, Jr Rudolph S Gonzales, Sr Sylvia A Gonzales Tim J Gonzales Jorge Gonzalez, Jr Donald E Gordon Patrick Alvin Gordon Jean J Gordstnoven Henry H Gore Isabel Gore Thomas L Gore Timothy A Gore Gregory Gottschalk Harold C Gourgues, Jr Tony C Goutierrez Darrell Graham Steven H Graham Grandpa's Dream Albert J Granger, Sr Stephen Granier Michael Grass Robert N Graves, Sr Jeannette Gray Monroe & Shirley E Gray |

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| | | | Wayne A Gray, Sr Ruston Graybill Craig X Green James W Green, Jr Shaun Green W C Greenlaw, Jr Ernest L Gregoire Rita M Gregoire Curtis B Gregory Mercedes E Gregory Raymond L Grice, Jr Alden J Griffin, Sr David D Griffin Elvis Joseph Griffin, Jr Faye Griffin Faye Ann Griffin Jimmie J Griffin Nolty J Griffin Rickey Griffin Sharon Griffin Timothy Griffin Troy D Griffin Alfred A & John Groff Hank Groover Brent J Gros, Sr Craig J Gros Danny A Gros Gary Gros, Sr Junius A Gros, Jr Keven Gros Michael A Gros Homer Gross Janet M & Tate Grossie Shane A Grossie Jimmie C Grow John Guenther, Jr Raphael Guenther Bruce Guerra Chad L Guerra Fabian C Guerra Guy A Guerra Kurt P Guerra, Sr Ricky J Guerra Robert Guerra Ryan Guerra Troy A Guerra William Guerra, Jr |

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| | | | Warren J Guidroz Alvin A Guidry Andy J Guidry Arthur Guidry Bud Guidry Calvin P Guidry & Holly A Guidry-Calva Carl J Guidry Charles J Guidry Chris J Guidry Clarence P Guidry Clark Guidry Clint Guidry Clinton P Guidry, Jr Clyde A Guidry David Guidry Dobie Guidry Douglas J Guidry, Sr Elgy Guidry, III Elgy Guidry, Jr Elwin A Guidry, Jr Gerald A Guidry Gordon Guidry, Jr Guillaume A Guidry Harold Guidry Jason Guidry Jessie J Guidry (2) Jonathan Guidry Joseph T Guidry Keith M Guidry Kenneth J Guidry Kerry A Guidry Marco Guidry Michael J Guidry Nolan J Guidry, Sr Randy Peter Guidry, Sr Rhonda S Guidry Robert C Guidry Robert J Guidry Robert W Guidry Roger Guidry Ronald Guidry Roy Anthony Guidry Roy J Guidry Tammy Guidry Thomas P Guidry Timothy Guidry Troy Guidry (2) |

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| | | | Ulysses Guidry Vicki Guidry Wayne J Guidry Wyatt Guidry Yvonne Guidry Donald J & Lou Guilbeax Shirley Guillie Horace H Guillory Benjamin J Guillot, Jr Rickey A Guillot Gulf Crown Seafood Co, Inc Gulf Fish, Inc Gulf Island Shrimp & Seafood II, LLC Gulf Shrimp Gulf Sweeper, Inc (Trawler Gulf Sweeper) Gulf Trawlers Lee Gullledge Anita Gutierrez Jody Guy Kimothy Paul Guy Wilson Guy Cherie Lan Ha Co Dong Ha Lai Thuy Thi Ha Lyanna Ha Johnny Hafford Hagan & Miley, Inc Robbin Richard Haiglea William E Hales Rhonda L Halili Byron S & Lorrie A Hall Darrel T Hall, Sr Michael P Hammer Julius Michael Hammock William Handlin, Sr Cam T Hang Chris Hansen Eric P Hansen Edmond A Hanson Louis Harbison Louis Hardison John C Hardy Sharon Hardy Londrie Harley Michelle Harmon George J Harrington Jay Harrington |

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| | | | Bobby D Harris Buster Harris Jimmy Wayne Harris, Sr Johnny Ray Harris Kenneth A Harris Susan D Harris William Harris Daniel L Harrison Leon M Hartmann, Jr Walter Hartmann, Jr Errol Henry Hattaway Kenneth Haycock Gregory Haydel Clinton Hayes (C&S Enterprises of Brandon, Inc) Katherine F & Lod Hayes, Jr Hong Hean Walter Heathcock, Jr Albert Joseph & Betty Jo Hebert Bernie Hebert Chris Hebert Craig J Hebert David Hebert David Hebert, Jr Earl J Hebert Eric J Hebert Jack M Hebert Johnny Paul Hebert Jonathan Hebert Jules J Hebert Kim M Hebert Lloyd S Hebert, III Michael J Hebert Myron A Hebert Norman Hebert Patrick Hebert Patrick A Hebert Pennington Hebert, Jr Philip Hebert Robert A Hebert Terry W Hebert Gerald J Hedrick, Jr Helen E, Inc Helen Kay, Inc Claudia A & Gerry J Helmer Herman C Helmer, Jr Kenneth Helmer Larry J Helmer, Sr |

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| | | | Michael A Helmer, Sr Rusty L Helmer Windy Helmer Brad Henderson Curtis Henderson David A Henderson, Sr & David A Henderson, Jr Olen Henderson P Loam Henderson Joanne Henry Rodney Henry Patrick & Terry Herbert Rodney O Hereford, Jr Rodney O Hereford, Sr Corey Hernandez Mark Herndon Charles W Hertel Edward C Hertz, Sr Allen L Hess Allen L Hess, Sr Henry D Hess, Jr Jessica R Hess Wayne B Hess James Hewett Hi Seas of Dulac, Inc John Hickman James W Hicks Larry W Hicks Walter R Hicks Nguyen Hien Joseph J Higgins, III Darren S Hill Joseph R Hill Sharon Hill Willie E Hill, Jr Herman W Hills Barbara E & Roland T Hingle, Jr Rick A Hingle Roland T Hingle, Sr Ronald J Hingle R Hinojosa Randy Hinojosa Ricky A Hinojosa Nicole Marie Hipps Dung Tan Ho Hung Ho Jennifer Ho Lam Ho |

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| | | | Nga T Ho O Ho Sang N Ho Than H Quoc Ho Thanh Q Ho Thanh Qisoe Ho Thien Dang Ho Tien Van Ho Tri T Ho Dung T Hoang Hoa Hoang John & Julie Hoang Julie Hoang Kimberly Hoang Linda Hoang Loan Hoang Tro Van Hoang Trung Kim Hoang Trung Tuan Hoang Ly Hoc Harry K Hoffpaviz Boyce Dwight Holler, Jr Dennis J Hollier Carl D Holloway Home Loving Care, Co Malcolm Hood Douglas Hopton Shawn Horaist Warren L Hostetler, II Claude Hotard Emile J Hotard, Jr Jeff B Howard Wendell Howerin, Sr Keith Hubbard Perry Hubbard Berry T Huber Charles A Huber Irma Elaine Huck Steven R Huck Harold Huckabee Patrick A Hue Brad J Hughes Thomas Hults Daniel Hutcherson Douglas Hutchinson George D Hutchinson William H Hutchinson |

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| | | | Cynthia E & Henry G Hutto, Jr Hai Van Huynh Dung Huynh Dung V Huynh Hai Huynh (2) Hoang D Huynh Hoang Van Huynh Hung Huynh Johnnie Huynh Kim Huynh Lay Huynh Long Huynh Mack Van Huynh Mau Van Huynh Minh Huynh Minh V Huynh Nam Van Huynh Thai Huynh Thanh Huynh The V Huynh Tri Huynh Truc Huynh Tu Huynh (2) Van X Huynh Viet Van Huynh Joseph Hymel, Jr Michael D Hymel Nolan J Hymel, Sr Independent Fish Company, Inc Herbert W Ingham Richard M Inglis Joseph S Ingraham Integrity Fisheries, Inc International Oceanic Ent William B Ipock Isabel Maier, Inc George Iver, Jr J & J Rentals, Inc Carl John Jackson David Jackson Eugene O Jackson Glenn C Jackson, Jr Glenn C Jackson, Sr James Jerome Jackson John D Jackson John E Jackson, Sr Levi Jackson |

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| | | | Nancy L Jackson Robert W Jackson Shannon Jackson Shaun C Jackson Steven A Jackson Jacob A, Inc Ronald R Jacob Warren J Jacob, Jr Lawrence F Jacobs Billy & Marilyn Jarreau James D Jarvis Emma Jaye JBS Packing Co, Inc Vincent R Jeanfreau William Jefferies Timothy Michael Jemison, Sr Jacobs Jennings Jesse Shantelle, Inc Harold J Joffrion, Jr Montha Jok & Tan No Le Albert F Johnson Ashley L Johnson Bernard Johnson, Jr Brent W Johnson Bruce W Johnson Carl S Johnson Carolyn Johnson Clyde Johnson, Sr David G Johnson David Paul Johnson Gary Allen Johnson, Sr George D Johnson Randy J Johnson Regenia Johnson Robert Johnson Ronald Ray Johnson, Sr Steve Johnson Thomas Allen Johnson, Jr Ronald Johnston Nicholas J Joly, Jr Charles Jones Clinton & Daisy Mae Jones Jerome N Jones, Sr John W Jones Larry Jones Len Jones Michael G Jones, Sr |

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| | | | Paul E Jones Perry T Jones, Sr Ralph William Jones Richard G Jones, Sr Stephen K Jones Joni John, Inc (Leon J Champagne) Donald F Joost Dean Jordan Hubert W Jordan, III (Bert) Hubert W Jordan, Jr Joseph Anthony Ramon G Judalet William Roger Judy Ida Julian John I Julian, Sr Julie Ann LLC Julie Shrimp Co, Inc (Trawler Julie) Julio Gonzalez Boat Builders, Inc Anthony Juneau, Sr Bruce Juneau Robert A & Laura K Juneau, Jr Leander J Jurjevich K & J Trawlers Jules B Kain, Sr Martin A Kain Kandi Sue, Inc Chamroeun Kang Sambo Kang Brenda Kap KBL, Corp Robert M Keenan Robert Steven Keer Kenneth & Roxanne Kellum, Sr Larry Gray Kellum, Sr Roger B Kelly Thomas E Kelly Chuck J Kendrick Michael S Kennair Dothan Kennedy Kenneth Garcia Trawlers David Kenney, Jr Robert W Kenney Michael A Kent Bunly Keo Steve Kerchner Thurmond Kern Sochenda Khin |

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| | | | Lep & Nga Ho Khui Frank Kidd Hank J Kiff Melvin Kiff Horace Kiffe Puch Kim Carson Kimbrough Soeun Kim-Tun Andy A King James B & Wesley King Thornell King An Kit Anthony J Kizer Robert Kleimann Robert Klein Alton P Knapp, Jr Alton P Knapp, Sr Ellis L Knapp, Jr Melvin L Knapp Theresa Knapp Frederick Knecht, Jr Lee Knezek George Knight Keith B Knight Knight's Seafood Inc Howard J Koch Seng Kong Bobby Konitz Curtis S Koonce Howard N Koonce Mark L Kopszywa Stanley J Kopszywa Stejapan Kotulja Bridget Kraemer Wilbert Kraemer, Jr David Kramer Arthur Krantz, Jr Lori Krantz Ronald A Kreger, Sr Roy J Kreger, Sr Ryan A Kreger Raymond A Krennerich Frank D Kruth Alphonse L Kuchler, III Bruce A Kuhn, Sr Gerard R Kuhn, Jr Gerard R Kuhn, Sr |

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| | | | Deborah & Robert Michaels Kuhns L & O Trawlers, Inc L.W. Graham, Inc La Pachita, Inc Kerry LaBauve Sabrina LaBauve Terry LaBauve Todd A LaBiche Carroll LaBove Frederick P LaBove Jacqueline Lachica Douglas Lachico Tony C Lacobon Tommy W Lagoon Brodie LaCoste Carl LaCoste Dennis E LaCoste Grayland J LaCoste Malcomb LaCoste, Jr Melivn LaCoste Ravin LaCoste, Jr Ravin LaCoste, Sr Clarence J Ladner, III Earlene G Ladson Lady Barbara, Inc Lady Katherine, Inc Lady Kelly, Inc Lady Melissa, Inc Douglas A LaFont, Sr Edna S LaFont Lafont, Inc Jackin Lafont Noces J LaFont, Jr Weyland J LaFont, Sr Lafourche Clipper, Inc Joseph T LaFrance Frank N Lagarde Gary Paul Lagarde Hen K Lai Then Lai Cang Van Lam Cui Lam (2) Dong Lam Dong Van Lam Lan Van Lam Lee Phenh Lam Qui Lam |

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| | | | Sochen Lam Tai Lam Tihn Huu Jessie J Lambas, Sr Clarence Lander, III David A Landry Dennis J Landry Edward N Landry, Jr George Landry (2) James F Landry Jude C Landry Robert E Landry Ronald J Landry Samuel J Landry, Jr Tracy Landry Daniel E Lane Lance Lapeyrouse Rosalie Lapeyrouse Tillman J Lapeyrouse James L LaRive, Jr Daniel LaRoche Lasseigne & Sons, Inc Betty & Jefferson Lasseigne Blake Lasseigne Floyd Lasseigne Frank Lasseigne Ivy Lasseigne, Jr Jefferson P Lasseigne, Jr Johnny J Lasseigne Marlene Lasseigne Nolan J Lasseigne Trent Lasseigne Chhiet Lat Charlotte A Latapie Jerry Latapie Joseph Latapie Joseph F Latapie, Sr Travis Latapie Crystal Latapie Craig J Latiolais Joel Latiolais Ho Thanh Lau James G Laughlin James M Laughlin Yvonne M Laurent Roger Lavergne Terrance Lawdros, Jr |

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| | | | Michael A Layrisson, III Amanda Le An Van Le Ben Le Ben & Kim Le Binh T Le Cheo V Le Chinh Thanh Le Cu Thi Le Dai M Le Dale Le David Rung Le Du M Le Due V Le Hien V Le Houston T Le Hung Le Jimmy & Hoang Le Khoa Le Ky Van Le Lang Van & Tracy Lan Chi Le Lisa T Le Loi Le My Le My V Le Nhieu T Le Nhut Hoang Le Nu Thi Le Phat Le & Le Tran Phuc Van Le Que V Le Robert Le Sau V Le Son Le (2) Son H Le Son Quoc Le Son Van Le Son Von Le Su Le Tam Le Tam V Le Thanh Huong Le Tong Minh Le Tony Le Tuan Nhu Le Viet Hoang Le Vui Le |

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| | | | Andrew S Leaf Roland Leary LeBauve, Inc Thomas LeBeauf Donnie LeBlanc Edwin J LeBlanc Enoch P LeBlanc Gareth R LeBlanc, Jr Gareth LeBlanc, III Gerald E LeBlanc Hubert C LeBlanc Jerald LeBlanc Jesse LeBlanc, Jr Keenon A LeBlanc Keenon H LeBlanc Lanvin J LeBlanc Luke A LeBlanc Marty J LeBlanc, Jr & Marty J LeBlanc Mickel J LeBlanc Robert LeBlanc Robert Patrick LeBlanc Scotty M LeBlanc Shelton LeBlanc Terry J LeBlanc Brent J LeBoeuf Edward J LeBoeuf Emery J LeBoeuf Joseph R LeBoeuf Dale LeBouef Ellis J LeBouef, Jr Jimmie LeBouef Leslie LeBouef Lindy J LeBouef Micheal J LeBouef Raymond LeBouef Tammy Y LeBouef Tommy J LeBouef Wiley LeBouef, Sr Stephen A LeBourgeois Alena & Jesse LeCompte, Jr Aubrey J LeCompte Etha LeCompte Jesse LeCompte, Sr Lyle LeCompte Patricia F LeCompte Todd LeCompte Troy A LeCompte, Sr |

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| | | | Brad Ledet Bryan Ledet Carlton Ledet Charles J Ledet Jack A Ledet Kenneth A Ledet Mark Ledet Maxine B Ledet Mervin Ledet Phillip John Ledet Dennis Ledoux Joe J Ledwig Carl Lee James K Lee Marilyn & Robert E Lee Otis M Lee, Jr Raymond C Lee Steven J Lee Roy J LeGaux, Jr Kerry Legendre Paul Legendre Andre Leger Alex M LeGros Debbie LeJeune Philip LeJeune, Jr & Philip LeJeune, Sr Eddie R LeJuine Allston B LeLand Rutledge B Leland, III Rutledge B Leland, Jr David LeLeaux Kevin Leleux Jeffery Lemoine, Jr Micheal A Leonard Rosalie Lepeyroose Leroy L Lepine Rudy Lessa, Jr Shawn Lester Dale T Levron Patrick T Levy James Kenneth Lewis, Sr dba FV Mary Ann Mark Steven Lewis Anthony R Libersat Kim Libersat Liberty I & St Vincent One B, Inc Donald L Lichenstien Douglas P Lilley Chhay Lim |

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| | | | Koung Lim Tav Seng Lim Eric L Linden Claude T Liner, Jr Harold Liner Jerry Liner Kevin Liner Michael B Liner, Sr Morris T Liner, Jr Morris T & Tandy M Liner, Sr Pham Linh Alex J Lirette, Sr Bobby & Sherri Lirette Chester P Lirette Daniel J Lirette Dean J Lirette Delvin J Lirette, Jr Desaine J Lirette Eugis P Lirette, Sr Guy Lirette Jeannie Lirette Kern A Lirette Ron Lirette Russell (Chico) Lirette, Jr Shaun Patrick Lirette Terry J Lirette, Sr Little Ernie Gulf Trawler, Inc William A Little William Boyd Little Niem S Liv Ernest J Livaudais Harry R Liverman Michael Anthony LoBue, Sr Dustin Locascio William T Lockhart Kerry Lodrigue Jimmy A Lodrique Joseph P Lombardo James A Lombas Kim D Lombas Robert Long Ronald S Longo, Jr Ryan Heath Longwater Celestino Lopez Harry N Lopez Ron Lopez Scott Lopez |

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| | | | Stephen R Lopez, Jr Michael E Lord, Sr Louisiana Newpack Shrimp Co, Inc Louisiana Shrimp and Packing Co, Inc Louisiana Shrimp Association George Loupe, Jr Ted Loupe Billy Lovell Bobby Jason Lovell Bradford Lovell Charles J Lovell, Jr Clayton Lovell Douglas P Lovell Jacob G Lovell Lois Lovell Slade M Lovell Low Country Lady (Randolph N Rhodes) Bernadette C & Rudolph J Luke David Luke Dustan Luke Henry Luke Jeremy Luke Keith J Luke Patrick A Luke Patrick J Luke Paul Leroy Luke Samantha Luke Sidney Luke, Jr Terry P Luke, Jr Terry P Luke, Sr Timothy Luke Wiltz J Luke Ora G Lund Ferrell J Luneau Thu X Luong Lydia Luscy Richard Luscy William A Lutz Binh Luu Vinh Luv Hen Ly Kelly D Ly Nu Ly Ven Ly Rosalie Lyall Lynda Riley, Inc Berton J Lyons |

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| | | | Jack Lyons Jerome M Lyons M.V. Lerin Lane Marvin Mackey Kevin L Mackie Wayne A Maggio Edwin W Magwood Danny V & Lang V Mai Tai Mai Rubin J Maise Todd Maise Ernest J Majoue Nathan L Majoue David Malcombe Irwin Ray Mallett Jimmie Mallett Lawrence J Mallett Mervin B Mallett Rainbow Mallett Stephney Mallett Ned F Malley, Jr Malolo LLC Mamacita, Inc Charles H Mamolo, Sr Romeo C Mamolo, Jr Terry A Mamolo Jesus Mancera Joseph R MaNoel Shon Manuel Chandarasy Mao Kim Mao Michelle Marcel Joe Marchese, Jr Marcos A Ansley Mareno Brent J Mareno Kenneth Mareno Mariah Lynn, Inc Allen J Marie Marty Marie Al Marmande Alidore Marmande Denise Marmande Heather Marquize Kip Marquizz Roy C Marris, Jr Darren & Wendy Martin |

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| | | | Dean Martin Dennis Martin Jody W Martin John F Martin, III Michael A Martin Nora S Martin Rod J Martin Roland J Martin, Jr Russel J Martin, Sr Sharon Martin Tanna G Martin Carl R Martinez Henry Martinez Henry Joseph Martinez Lupe Martinez Michael Martinez Rene J Martinez Mary Bea, Inc James Mason, Jr Johnnie W Mason Luther Mason Percy D Mason, Jr Master Mike, Inc Larry Mathene, Jr Forest J Matherne Anthony Matherne Blakland Matherne, Sr Bradley J Matherne Claude I Matherne, Jr Clifford P Matherne Curlis J Matherne George J Matherne Glenn A Matherne Grace L Matherne James C Matherne James J Matherne, Jr James J Matherne, Sr Joey A Matherne Keith Matherne Louis M Matherne, Sr Louis Michael Matherne Nelson Matherne Thomas G Matherne Thomas G Matherne, Jr Thomas M Matherne Thomas M Matherne, Sr Thomas Matherne, Jr |

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| | | | Wesley J Matherne Patrick Mathews (2) Barry Mathurne Martin J Matte, Sr Mark D Mavar Lonies A Mayeux, Jr Roselyn P Mayeux Gary Mayfield Henry A Mayfield Henry A Mayfield, Sr James J Mayfield, III Allen J Mayon Wayne Mayon, Sr Henry J McAnespy Louis McAnespy Marcus H McCall R Terry McCall, Sr Michael McCarthy Byron Keith & Katrina McCauley Robert R & Debra McClantoc Eugene Gardner McClellan Len McCormick Denny Carlton McCuiston Allan McDonald Harry J McElroy Merlin J McFarlain, Jr Dennis McGuinn James Richard McIntosh Michael D McIntyre John H McIver, Jr Roy McKendree Bobby E McKenzie Robert McKoin Robert F McKoin, Jr Jonathon S McLendon Robert McNab, Jr Don W McQuaig Oliver J McQuaig David P Medine Timmy J Melanco Brent K Melancon Neva Melancon Rickey Melancon Roland D Melancon & Roland T Melancon, Jr Sean P Melancon Terral J Melancon Ozimea J Melanson, III |

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| | | | Raymond Joseph Melarine Angela Melerine Brandon T Melerine Claude A Melerine Claude A Melerine, Jr Dean J Melerine Eric W Melerine, Jr John D Melerine, Sr Linda C Melerine Daniel W Melford, Sr Nelvin Mello Randall J Pinnell Member Sophin Men Wade E Menendez Dennis Menesses James H Menesses Louis Menesses Lionel A Menge Vincent J Menge Mer Shrimp, Inc Dempsey Mercy Harold A Merrick Kevin Merrick, Sr Darren Merritt, Sr Chase Messer Otis J Meyers Soeum Miarm Michael Lynn Steven D Michel Dan Middleton, Sr Henry Miguez Kevin L Miguez, Sr Ricky David Miles Joseph Militello David W & Rhonda E Miller Fletcher N Miller James A Miller Larry B Miller Mabry Allen Miller Mabry Allen Miller, Jr Michael E Miller Michele K Miller Randy A Miller Wayne Miller Leon B Millet Milliken & Son's Donnie Millington |

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| | | | Ronnie Millington Moses Millis Raeford Millis Ralford Millis Timmie Lee Millis Derrick Mine Peter G Miner Phuc-Truong Minh Miss Alice, Inc Miss Ashleigh Miss Barbara Miss Bertha (M/V) & Kevin & Bryan (M/V) Miss Candace Miss Candace Nicole, Inc Miss Carla Jean, Inc Miss Caroline, Inc Miss Carolyn Louise, Inc Miss Cleda Jo, Inc Miss Danielle Gulf Trawler, Inc Miss Gabrielle, Inc Miss Georgia, Inc Miss Hannah Miss Loraine Miss Luana D Shrimp Co Miss Marilyn Louise, Inc Miss Nicola Miss Rhianna, Inc Miss Sandra II Miss Savannah II Miss Suzanne Miss WillaDean Miss Yvette, Inc Ricky Allen Mitchell Todd Mitchell Francis C Mitchum G C Mixon Bryan A Mobley Jimmy Mobley, Sr Robertson Mobley Frank Mock, Sr Frankie E Mock, Jr Jesse R Mock, II Terry Mock Louis Frank Molero Louis Molero, III Al L Molinere Floyd Molinere |

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| | | | Roland & Stacy Molinere, Jr Angela Moll Jerry J Moll, Jr Jonathan P Moll Julius J Moll Randall Moll, Jr Randall Mollere Mom & Dad, Inc Philip J Mones, Jr Tino Mones Guy D Moody Carl Stephen Moore Curtis L Moore Kenneth Moore Richard Moore Willis Moore Nguyen Moot Anthony Morales Clinton A Morales Daniel Morales, Jr Daniel Morales, Sr David Morales Elwood J Morales, Jr Eugene J Morales, Jr Eugene J Morales, Sr Kimberly & Raul Morales Leonard L Morales Phil J Morales, Jr Scott Moran Allen J Moreau Berlin J & Mary Moreau, Sr Daniel R Moreau Hubert Moreau Rickey J Moreau, Sr Arthur B Morehead, Jr Ansley Moreno Harold R Morgan John Morici Herbert Eugene Morris Jesse A Morris Jesse A Morris, Sr Preston Morris Robert A Morton Keith M Morvant Patsy Lishman Morvant Chalam Moschetteiri Kevin R Moseley |

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| | | | William L Mouille Ashton J Mouton Timothy Moverant Mr. Verdin, Inc Mark Mund Denis R Murphy Gary J Muth, Sr Joseph E Myers, Jr Tran Van Na Andrew Naccio Lance M Nacio Noel Nacio Philocles J Nacio, Sr Nancy Joy Alton J Naquin Andrew J Naquin, Sr Antoine Naquin, Jr Autry James Naquin Bobby J & Sheila Naquin Christine & Milton H Naquin, IV Dean J Naquin Donna P Naquin Earl Naquin Earl L Naquin Freddie Naquin Gerald Naquin Henry Naquin Jerry Joseph Naquin, Jr Kenneth J Naquin, Jr Kenneth J Naquin, Sr Kenneth Naquin, Jr Linda L Naquin Lionel A Naquin, Jr Mark D Naquin, Jr Marty J Naquin, Sr Oliver A Naquin Robert Naquin Roy A Naquin Vernon Naquin Curtis J Navarre Emma & Floyd G Navero, Jr Craig A Neal Roy J Neal, Jr Bobby H Neely Raymond E Nehlig, Sr Dean Neil Jacob Neil |

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| | | | Robert J Neil, Jr Deborah Nelson Elisha W Nelson Ernest R Nelson Faye Nelson Fred H Nelson, Sr Gordon Kent Nelson, Sr Gordon W Nelson, III Gordon W Nelson, Jr William O Nelson, Jr Aaron J Nelton, Jr Steven J Nelton Nevgulmarco Co, Inc Ronald B Newell Thomas E Newsome Paul J Newton Dong Xuan Neyuh Hung V Ngo Liem Thanh Ngo The Ngo Truong Dinh Ngo Vu Hoang Ngo Thoi Ngu Amy Nguyen An Hoang Nguyen Andy Dung Nguyen Anh Nguyen Auyan Nguyen Ba Nguyen Bac Van Nguyen Bao Q Nguyen Bich Thao Nguyen (2) Bien Nguyen Binh Nguyen (3) Binh Cong Nguyen Binh V Nguyen Can Van Nguyen Cath V Nguyen Charlie Nguyen Chien Nguyen Chien Van Nguyen Chin Nguyen Chinh Van Nguyen Christian Nguyen Chung Nguyen Chung Van Nguyen Chuong Hoang Nguyen |

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| | | | Chuong V Nguyen Chuyen Nguyen Coolly Dinh Nguyen Cuong Nguyen Dai Nguyen Dan Nguyen Dan Van Nguyen (2) Dang Nguyen Danny Nguyen De Van Nguyen Den Nguyen Diem Nguyen Dien Nguyen Diep Nguyen Dinh Nguyen (2) Dong T Nguyen Dong X Nguyen Duc Nguyen Duc Van Nguyen Dung Nguyen Dung Ngoc Nguyen Duong V Nguyen Duong Xuan Nguyen Dvoc Nguyen Elizabeth Nguyen Gary Nguyen Giang T Nguyen Giau Van Nguyen Ha T Nguyen Ha Van Nguyen Hai Nguyen Hai Van Nguyen Han V Nguyen Hang Nguyen Hanh T Nguyen Harry H Nguyen Henri Hiep Nguyen Henry-Trang Nguyen Hien Nguyen Hiep Nguyen Ho V Nguyen Hoa Nguyen Hoa N Nguyen Hoang Nguyen (2) Hoi Nguyen Hung Nguyen (2) Hung M Nguyen |

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| | | | Hung Van Nguyen Huu Nghia Nguyen Jackie Tin Nguyen James Nguyen Jennifer Nguyen Jimmy Nguyen (2) Joachim Nguyen Joe Nguyen John R Nguyen John V Nguyen Johnny Nguyen Joseph Minh Nguyen Kenny Hung Mong Nguyen Khanh Nguyen Khanh & Viet Dinh Nguyen Khanh Q Nguyen Khiem Nguyen Kim Nguyen (2) Kinh V Nguyen Lai Nguyen (2) Lai Tan Nguyen Lam Van Nguyen Lang Nguyen (2) Lanh Nguyen Lap Van Nguyen Le Nguyen Lien Thi Nguyen Linda Oan Nguyen Linh Thi Nguyen Lintt Danny Nguyen Luu Nguyen Loc Nguyen Loi Nguyen (2) Long Phi Nguyen Long T Nguyen Long Viet Nguyen Luom T Nguyen Mai Van Nguyen Man Van Nguyen Mao-Van Nguyen Mary Nguyen Minh Nguyen (3) Minh Ngoc Nguyen Minh Van Nguyen (2) Mui Van Nguyen Mung T Nguyen My Le Thi Nguyen |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | My Tan Nguyen My V Nguyen Nancy Nguyen Nghi Q Nguyen Nghia Nguyen Ngiti Nguyen Ngoc Tim Nguyen Ngoc Van Nguyen Nguyet Nguyen Nhi Nguyen Nuona Nguyen Nuong Nguyen Peter Nguyen Peter V Nguyen Phe Nguyen Phong Ngoc Nguyen Phong T Nguyen Phong Xung Nguyen Phu Huu Nguyen Phuc Nguyen Phuoc H Nguyen Phuoc Van Nguyen Phuong Nguyen (2) Quang Nguyen Quang Dang Nguyen Quang Dinh Nguyen Quang Van Nguyen Quoc Van Nguyen Quyem Minh Nguyen Quyem Van Nguyen Quyent Nguyen Ran T Nguyen Randon Nguyen Richard Nguyen Rick Nguyen Ricky Thinh Nguyen Sam Nguyen Sandy Ha Nguyen Sang Nguyen Sau V Nguyen Si Ngoc Nguyen Son Thanh Nguyen Son Van Nguyen Steven Giap Nguyen Tai Nguyen Tai The Nguyen Tai Thi Nguyen |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | Tam Nguyen Tam Thanh Nguyen Tam V Nguyen Tam Van Nguyen Tdan Van Nguyen Ten Tan Nguyen Thach Nguyen Thang Nguyen (2) Thanh Nguyen (5) Thanh P Nguyen Thao Nguyen Thi Bich Hang Nguyen Thiet Nguyen Tho Duke Nguyen Thoa Nguyen Thoa D Nguyen Thoa Thi Nguyen Thomas Nguyen Thu Duc Nguyen Thuong Van Nguyen Thuy Nguyen Thuyen Nguyen (2) Tinh Nguyen Tinh V Nguyen Toan Nguyen Toan Van Nguyen Tommy Nguyen Tony Nguyen Tony D Nguyen Tony Si Nguyen Tra Nguyen Tracy T Nguyen Tri D Nguyen Trich Nguyen Trich Van Nguyen Tu Van Nguyen Tuan Nguyen Tuan A Nguyen Tuan H Nguyen Tung Nguyen Tuyen Duc Nguyen Van H Nguyen Van Loi Nguyen Viet Nguyen (2) Viet Van Nguyen Vinh V & Vuong V Nguyen VT Nguyen |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | Vu Minh Nguyen Vu T Nguyen Vu Xuan Nguyen Vui Nguyen Xuong Kim Nguyen Seri Nhon Steve Anna Nichols Gary Nicholson Leonard Nixon Earl Noble Timothy Normand Candace P Norris John A Norris Kenneth L Norris Kevin Norris North Point Trawlers, Inc James E Nowell Phen Noy Conrad Nunez Jody Nunez Joseph Paul Nunez Randy Nunez Wade Joseph Nunez Dong Xuan Nynh Darryl Oberling Adam O'Blance Gary S O'Brien Mark O'Brien Michele O'Brien Ocean Select Seafood, LLC Ocean Springs Seafood Market, Inc Henry & Phyllis Oglesby Michael P O'Gwynn, Sr George J & Eva G Ohmer Hazel Olander Rodney Olander Roland J Olander Russell J Olander Thomas Olander Kevin Olano Owen J Olano Shelby F Olano Malcolm D Olds, Jr Wilfred J Olinde, Jr Carey O'Neil Brad R Oracoy Eugene Orage |

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| | | | Het Orlando Robert F Oteri Faron P Oubre SokHoms K Ourks Larry E Owens Timothy Owens Thomas Pacaccio, Jr Kenneth J Padgett Roben Palimisano Gay Ann P Palmer John W Palmer Mack Palmer Daniel P Palmisano Dwayne Palmisano, Jr Kim Palmisano Larry J Palmisano Leroy J Palmisano Robin G Palmisano Phuong Bui Pam Papa Rod, Inc Antoine C Parfait, Jr Jerry & Mary S Parfait, Sr John C Parfait Joshua K Parfait Olden G Parfait, Jr Robert C Parfait, Jr & Robert C Parfait, Sr Rodney Parfait Shelton J Parfait Timmy J Parfait Clyde A Parker Franklin L Parker Paul A Parker Percy Todd Parker Daniel Duane Parks Ellery Doyle Parks, Jr Joseph D Parrett, Jr Danny Parria Gavin C Parria, Sr Gillis Parria, Jr Gillis Parria, Sr Jerry D Parria Kip G Parria & Louis J Parria, Sr Lionel J Parria, Sr Louis Parria, III Louis Parria, Jr Michael Parria Ronald Parria |

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| | | | Ross Parria Troy M Parris Walter L Parrish Penny Passmore Shane Pale Richard Paterbaugh Roger D Patingo Paul Piazza and Son, Inc Robert Emmett Paul John Payne Stuart Payne Pearl, Inc dba Indian Ridge Shrimp Co James Curtis Pelas Corey P Pellegrin Curlynn Pellegrin James A Pellegrin, Jr Jordey Pellegrin Karl Pellegrin Karl J Pellegrin Randy Pellegrin, Sr Rodney J Pellegrin, Sr Samuel Pellegrin Troy Pellegrin Troy Pellegrin, Sr Randy Pelligrin Clyde Peltier Rodney J Peltier Bartolo Pena, Jr Israel Pena Gracie Pendarvis Elaine & Milton Pennison David P Percle Allen M Perez David J Perez David P Perez Derek Perez Edward Perez, Jr Henry Perez, Jr Joe B Perez Tilden A Perez, Jr Warren A Perez, Jr Warren A Perez, Sr Wesley Perez Dale Perrin David M Perrin Edward G Perrin, Sr Errol J Perrin, Jr |

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| | | | Jerry J Perrin Kenneth V Perrin Kevin Perrin Kline J Perrin, Sr Kurt M Perrin Michael Perrin Michael A Perrin Murphy P Perrin Nelson C Perrin, Jr Pershing J Perrin, Jr Robert Perrin Tim J Perrin Tony Perrin Nelian C Perrio, Jr William T Persohn Kirk Lynn Peshoff Alfred F Pete, Jr Alfred F Pete, Sr William A Pfleeeger An V Pham Anh My Pham Bob Pham Cho Pham Cindy Pham David Pham Dung Pham Dung Nick Pham Duong Van Pham Gai Pham Hai Hong Pham Hiep Pham Hung Pham Hung V Pham (2) Kannin Pham Nam V Phan Pham Nhung T Pham Osmond Pham Paul P Pham Phong-Thanh Pham Phung Pham Quoc V Pham Steve Ban Pham Thanh Pham Thinh Pham Thinh V Pham Tommy V Pham Ut Van Pham |

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| | | | Anh Thi Phan Banh V Phan Con Van Phan Dan T Phan Hanh Van Phan Hoang Phan Johnny Phan Thong Phan Tien V Phan Toan Phan Lam Mau Phat John D Phelps Bruce Phillips Danny D Phillips Gary Phillips Harry L Phillips James C Phillips, Jr Kristina W Phillips A W Phipps Khaolop Phonthaasa Phen Phorn Tran D Phuc Kathy Pickett Calvin Picou, Jr Gary M Picou Jennifer Picou Jerome J Picou Jordan J Picou Randy Picou Ricky Picou, Sr Terry Picou Aaron Pierce Dean Pierce Elwood Pierce Imogene Pierce Stanley Pierce Taffie Boone Pierce Ivy Pierre Joseph Pierre Joseph C Pierre, Jr Paul J Pierre Ronald J Pierre Jake Pierron Patsy H & Roger D Pierron Ernie A Pinell Harry J Pinell, Jr Jody Pinell |

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| | | | Randall James Pinell Richard J Pinnell Robert Pinnell Benton J Pitre Carol Pitre Claude A Pitre, Sr Elrod Pitre Emily B Pitre Glenn P Pitre Herbert Pitre Jeannie Pitre Leo P Pitre Robert Pitre, Jr Robin Pitre Ryan P Pitre Ted J Pitre Bonnie Pizani Craig Pizani Jane Pizani Terrill Pizani Terry M Pizani Terry M Pizani, Jr Arthur E Plaisance Burgess Plaisance Darren Plaisance Dean J Plaisance, Sr Dorothy B Plaisance Dwayne Plaisance Earl J Plaisance, Jr Errance H Plaisance Evans P Plaisance Eves A Plaisance, III Gideons Plaisance Gillis S Plaisance Henry A Plaisance, Jr Jacob Plaisance Jimmie J Plaisance Joyce Plaisance Keith Plaisance Ken G Plaisance Lawrence J Plaisance Lucien Plaisance, Jr Peter Plaisance, Jr & Peter A Plaisance, Sr Richard J Plaisance Russel P Plaisance Thomas Plaisance Thomas J Plaisance |

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| | | | Wayne P Plaisance Whitney Plaisance, III Phan Plork Glenn J Poche, Jr Glenn Poche, Sr Gerald Pockrus Russell Poiencot, Jr Charles A Poillion Gerald Polito Gary Polkey Richard R Polkey, Jr Ronald Polkey Shawn Michael Polkey Lionel J Pollet, Sr Ben Ponce Lewis B Ponce Raymond Poon Robert Pope Winford A Popham David M Poppell Ricky J Porche Port Royal Seafood, Inc Bobby & Penelope J Portier Chad Portier Corinne L Portier Robbie Portier Russel A Portier, Sr Hubert Edward Potter, Jr Robert D Potter Terry Wayne Pounds Clyde T Powers Dennis J Prejean Carl Price Curtis Price Edwin J Price Franklin J Price George J Price, Sr Norris J Price, Sr Steve J Price, Jr Timmy T Price Wade J Price Warren J Price Steve Prihoda Scott Primeaux Dixie J & James R Pritchard Claude J Prosperie, Jr Myron Prosperie |

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| | | | Rollen Prout Sharonski K Prout Thou Prum Charles D Pugh, Jr Charles D Pugh, Sr Cody Pugh Deanna Pugh Donald Pugh Nickolas Pugh Alvin Punch, Jr Donald J Punch Todd M Punch Travis J Punch Emil Purse George Puvis Joe Quach Dora M Quinn R & J, Inc Charles Racca Chip Racine Albert G Ragas Gene Ragas John D Ragas Jonathan Ragas Richard A Ragas Ronda S Ragas Lester B Ralph Alfred J Ramirez, Jr Sylvan P Racine, Jr (Cape Romain) Randall Pinell Inc John A Randazza, Jr Rick A Randazzo Stanley D Rando Randy Boy, Inc Ellis Gerald Ranko Dwayne Rapp Leroy & Sedonia Rapp John H Rawlings, Sr Ralph E Rawlings Leo Ray William C Ray, Jr Steven Earl Raynor Kelty O Reademour Roy Reagan Patrick W Reason Paul S Reaux, Sr Craig A Reaves |

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| | | | Laten Reaves Paul J Rebery, Sr Steve M Rebert, Jr Charles Rebstock Lance Recter, Jr Warren L Recter Yvonne Redden Leoncea B Regnier Garland Remondet, Jr Lanny Renard Edward Reno George C Reno George H Reno George T Reno Harry Reno Ben D Revell Reyes Trawlers, Inc Dwight D Reyes, Sr Marcello Reynon, Jr Randolph N Rhodes Christopher L Rhoto Frank A Ribardi Wanda Heafner Rich Irvin J Richaox, Jr Bruce J Richard David L Richard Edgar J Richard James Ray Richard Melissa Richard Randall K Richard James T Richardson Daniel E Richert Earl Richo, Sr Dudley D Richoux, Jr Larry & Judy Richoux Mary A Richoux Raymond A Riego Josiah B Riffle Randall R Rigaud Jeffrey B Riggs Jackie Riley, Sr Raymond Riley Anthony J Rinkus, III Amado Rios Norris M Ripp Dan S Robert Michael A Roberts |

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| | | | Kevin Robertson Richard S Robeson, Jr Craig J Robichaux Alvin G Robin Cary Joseph Robin Charles R Robin, III Danny J Robin Donald Robin Floyd A Robin Kenneth J Robin, Sr Ricky R Robin Johnson P Robinson, III Walter Robinson Clay Roccaforte Dominick R & Rhonda Rodi Brent J Rodrigue Carrol Rodrigue, Sr Glenn & Sonya Rodrigue Lerlene Rodrigue Reggie Rodrigue, Sr Wayne Rodrigue Barry Rodriguez Gregory Rodriguez Jesus Rodriguez Orn Roem Barry David Rogers Chad Rogers Chad M Rogers Kevin Rogers Nathan J Rogers Carlton J Rojas, Sr Curtis Rojas, Sr Dennis J Rojas, Sr Gordon V Rojas Kerry D Rojas Kerry D Rojas, Jr Randy Rojas, Sr Raymond J Rojas, Jr Brad Roland Mathias C Roland Vincent Roland Theresa Rollins Wayne A Rollo Victor J Rome, IV D H Romero Kardel J Romero Norman Romero |

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| | | | Philip J Romero Romo, Inc Glenn Ronquille Norman C Ronquille Earl Ronquillo Richard J Ronquillo Timothy Ronquillo Rosa Marie, Inc Charles R Roseburrough, Jr Dorothy Ross Edward Danny Ross, Jr Leo L Ross Robert A Ross Joseph F Roth, Jr Joseph M Roth, Jr Carolyn Rotolo Feliz Rotolol Jimmy Rouse Michael D Roussel, Jr Henry Lee Roy, Jr Chad A Rudolph Donald W Ruiz James L Ruiz Paul E Ruiz Paul R Ruiz Bentley R Russell Casey Russell Daniel Russell James Russell, III Michael J Russell Nicholas M Russell Paul Russell Kenneth Rustick Adrian K Ruttley Ernest T Ruttley, Jr J T Ruttley James C Ryan, Sr Rhebb Rybiski Luther V Ryder Sabrina Marie, Inc Stewart Sadler Everett Sagnes Amanda K Saha Salina Cruz, Inc Don M Saling Sue A & Preston J Saltalamachia Lawrence Salvato, Jr |

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| | | | Samaira, Inc Carol J Samanie Frank J Samanie Don Samsome San Dia Malcolm H Sanabe Troy P Sanamo Augustine Sanchez Jeffery A Sanchez Juan Sanchez Robert A Sanchez William Shannon Sanders Sandra G, Inc R J Sandras R J Sandras, Jr Roy R Sandrock, III Santa Maria, Inc Lindberg W Santini, Jr James Santiny Patrick Santiny Carol J Sapia, Jr Eddie J Sapia, Jr Willard Sapia Michael Rance Saturday Tran Sau Carlton J Sauce Joseph C Sauce, Jr Houston J Saucier Russell Sauls Malcolm H Savage Raymond Savant Allen Savoie Brent T Savoie James Savoie Merlin F Savoie, Jr Reginald M Savoie, II Gerald Sawyer Rodney Sawyer Clifford Scarabin Michael J Scarabin Kelly Schaffer Curry A Schanbhut Lester B Schelling, Jr Michael Schexnaydre Robert Schirner, Jr Joseph J Schjatt, Sr Henry Schlindwein |

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| | | | Paul A Schmit, Jr Paul A Schmit, Sr Victor J Schmit, Jr Ellis J Schouest, III Ellis Schouest, Jr Juston Schouest Mark Schouest Noel Schouest Robert H Schrimpf, Jr Sidney Schultz Troy A Schultz Arron J Scott Audie B Scott James E Scott, III Milford P Scott Paul Scott Sea Eagle Fisheries, Inc Sea Pearl Seafood Company, Inc Seabrook Seafood, Inc Terry G Seabrook Garry Seaman Greg Seaman Ollie L Seaman, Jr Ollie L Seaman, Sr Meng Seang Robert Craig Sehon S George Sekul Morris G Sekull Charles Sellers Issac Charles Sellers Sopphen Seng Adam R Serigne Elizabeth Serigne James J Serigne, III Kimmie J Serigne Lisa M Serigne Neil Serigne O'Neil N Serigne Richard J Serigne, Sr Rickey N Serigne Ronald Raymond Serigne Ronald Roch Serigne Ross Serigne Gail Serigny Wayne A Serigny Lenny Serpas, Jr William O Sessions, III |

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| | | | William O Sessions, Jr Michael D Sevel Carl Sevin Earline Sevin Janell A Sevin Joey Sevin Nac J Sevin O'Neil J Sevin Phillip T Sevin Shane Sevin Shane Anthony Sevin Stanley J Sevin Symantha A Sevin Willis Sevin Janet A Seymour David M Shackelford Curtis E Shaffer Glynnon D Shaffer Danielle A Shay Jason Shilling L E Shilling Robert L Shugars Randy Shutt Sidney Fisheries, Inc Curtis Silver, Jr Curnis Simon John Simon Leo Simon Mark Simpson Donald L Sims Alan Singley Charlie E Singley, Sr Glenn Singley Robert Joseph Singley Jace Sirgo Walter Sisung Walter Sisung, Jr Gary M Skinner, Sr Richard Skinner Skip Toomer, Inc Malcom W Skipper Martin J Skrmetta Skyla Marie Inc Brian H Smelker Brian Smith Carl R Smith, Jr Clark W Smith |

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| | | | Danny Smith Danny M Smith, Jr Donna Smith Elmer T Smith, Jr James E Smith Margie T Smith Mark A Smith Nancy F Smith Raymond C Smith, Sr Tim Smith Walter M Smith, Jr William T Smith Ted W Smithwick Bill Smoak William W Smoak, III Erick Snell Snodgrass Phat Soeung John C Soileau, Sr Kheng Sok Nhip Sok Darren Solet Donald M Solet Joseph R Solet Raymond Solet Kim Son Sam Nang Son Samay Son Thuong Cong Son Daniel Soprano William Sork Louis Soudelier, Jr Shannon Soudelier Yem Kim Sour South Carolina Shrimpers Association Barbara Kay Spier Jeffrey B Spell Mark A Spell Joel F Spellmeyers, Sr Casey Spencer Donald A Spiers Avery M Sprinkle Emery S Sprinkle Joseph Sprinkle Kenneth J Squarsich Siphon Sreiy Dana A St. Amant |

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| | | | Mr & Mrs Jerome K St. Ann Darren St. Pierre Scott A St. Pierre Patrick Staves Chad Stechmann Karl J Stechmann Todd Stechmann Arnold D Steele, Jr Henry H Steele, III Carl L Steen James D Steen Kathy G Steen Norris J Stein, Jr Stella Mestre, Inc Adlar Stelly Carl A Stelly Chad P Stelly Delores Stelly Sandrus Stelly, Jr Sandrus Stelly, Sr Toby J Stelly Veronica G Stelly Warren Stelly Louis Stephenson Alvin Stevens Curtis D Stevens Glenda Stevens Chester Stewart, Jr Derek Stewart Fred Stewart Jason F Stewart Ronald G Stewart William C Stewart Derald Stewat Thanh Stiffier Lawrence L Stipelcovich Todd J Stipelcovich Brenda Stockfett Todd Stokes Pamela Stone-Rinkus Ken Strickland Rita G Strickland James V Stuart Rex E Stutes Billy W Sulak Hong Sreng Sun Donald D Surmik |

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| | | | Patrick Sutton Swamp Irish, Inc Keith Swindell Dennis A Sylve James L Sylve Nathan Sylve Scott Sylve Paul Sylvesr Ba Van Ta Chris Ta Yen Ta Calvin Tabb Andrew Taliacich Ivan & Srecka Taliacich Joseph M Taliacich Ho Dung Tan Hung Tan Lan T Tan Thanh Tang Robert Charles Tanner Tanya Lea, Inc Raymond Taravella Alton J Tassin Keith P Tassin Archie P Tate Terrell Tate Kevin M Tauzier Doyle L Taylor Herman R Taylor Herman R Taylor, Jr J P Taylor, Jr John C Taylor Leander J Taylor, Sr Leo Taylor, Jr Nathan L Taylor Robert L Taylor Robert M Taylor Phal Teap Heng Tek Paul Templat John L Terluin, III A Scott Terrebonne Alphonse J Terrebonne Alton S Terrebonne, Jr Alton S Terrebonne, Sr Carol Terrebonne Carroll Terrebonne |

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| | | | Chad Terrebonne, Sr Daniel J Terrebonne Donavon Terrebonne Gary J Terrebonne Jimmy Terrebonne, Jr Jimmy Terrebonne, Sr Kline A Terrebonne Lanny Terrebonne Larry F Terrebonne, Jr Scott Terrebonne Steven Terrebonne Toby J Terrebonne Chad J Terrel, Sr C Todd Terrell Brandon James Terrio Harvey J Terrio, Jr Terry Luke Corp Terry Lynn, Inc Eloise Terry Kuzma D Tesvich Texas Pack, Inc Tex-Mex Cold Storage, Inc Phuong Thach Paul Thai Thomas Thai Anthony Theriot Carroll A Theriot, Jr Clay J Theriot, Jr Craig A Theriot Dean P Theriot Donnie Theriot Jeffrey C Theriot Larry J Theriot Lynn Theriot Mark A Theriot Wanda J Theriot Bart James Thibodeaux Brian A Thibodeaux Brian M Thibodeaux Calvin A Thibodeaux, Jr Fay F Thibodeaux Glenn P Thibodeaux Jared Thibodeaux Jeffrey Thibodeaux Jonathan Thibodeaux Josephine Thibodeaux Keith Thibodeaux |

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| | | | Tony J Thibodeaux Warren J Thibodeaux Tran Thiet Thomas G, Inc Alvin Thomas Brent Thomas Dally S Thomas Janie G Thomas John Richard Thomas Kenneth Ward Thomas Monica P Thomas Ralph L Thomas, Jr Randall Thomas Robert W Thomas Willard N Thomas, Jr Gerard Thomassie Nathan A Thomassie Philip A Thomassie Ronald Thomassie Tracy J Thomassie David Thompson Edwin A Thompson George Thompson James D Thompson, Jr James Thompson, Jr John E Thompson John R Thompson Randall Thompson Shawn Thompson Thong John J Thonn, Jr Victor J Thonn Robert Lee Thorpe, Jr Three Sons, Inc Charles E Thurman Tidelands Seafood Co, Inc Thanh Tiet Tiffani Claire, Inc Tikede, Inc Gene E Tilghman Billy Carl Tillett Lewis A Tillman, Jr Timothy P & Yvonne M Tillman Pat Tillotson Mark A Tinney Georgia W Tisdale Oscar Tiser |

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| | | | Thomas C Tiser, Jr Thomas C Tiser, Sr Du Van To Fred Noel Todd Rebecca G Todd Robert C Todd Vonnie Frank Todd, Jr Gerald Tompkins, II George Toney, Jr Hai V Tong Linh C Tony Tonya Jane, Inc Christina Abbott & William Kemp Toomer Christy Toomer Frank G Toomer, Jr Jeffrey E Toomer Kenneth Toomer Lamar K Toomer Larry C & Tina Toomer David P Torrible Jason Torrible Anthony H Touchard John B Touchard, Jr Paul V Touchard, Jr Eldridge Touchet, III & Eldridge Touchet, Jr Anthony G Toups Bryan Toups George A Toups Jeff Toups Jimmie J Toups Kim Toups Manuel Toups Ted Toups Tommy Toups James Toureau Melvin H Tower Harmon Lynn & Marion Brooks Townsend Hop T Tra Nguyen Tra James D Trabeau Allen A Trahan, Jr Alvin Trahan, Jr Druby Trahan Dudley Trahan Elie J Trahan Eric J Trahan James Trahan |

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| | | | Karen C Trahan Lynn P Trahan, Sr Ricky Trahan Ronald J Trahan Tracey L Trahan Wayne Paul Trahan Allen Hai Tran Andana Trana Anh Tran (2) Anh N Tran Bay V Tran Binh Tran Ca Van Tran Cam Van Tran Chau Van Tran Chi T Tran Chu V Tran Cuorg Tran Den Tran Dien Tran Dinh Tran Dinh M Tran Duoc Tran (2) Duong Tran Eric Tran Francis Tran Giang Tran Giao Tran Hien H Tran Hiep Tran Hiep Phuoc Tran Hieu Tran Hoa Tran (2) Hue T Tran Huey Tran Hung Tran Hung (Eric) Tran Hung P Tran Hun Viet Tran John Tran Johnny Dinh Tran Joseph Tran Joseph T Tran Khan Van Tran Khanh Tran Kim Chi Thi Tran Lan Tina Tran |

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| | | | Leo Van Tran Loan Tran Long Tran Long Van Tran Luu Van Tran Ly Tran Ly Van Tran Mary Tran Mien Tran Mike Tran Minh Huu Tran My T Tran Ngoc Tran Nhieu Van Tran Nho Tran Phuc V Tran Phung Tran Quan Van Tran Quang Quang Tran Quang T Tran Qui V Tran Ran Van Tran Sarah T Tran Sau Tran Son Tran (2) Steven Tuan Tran Te V Tran Than Tran Thanh Tran Theresa Tran Thi Tran Thich Van Tran Thien Tran Thien Van Tran Tri Than Trung Tran Trung Van Tran Tuan Tran Tuan Minh Tran Tuong Van Tran Tuyet Thi Tran Van T Tran Vinh Tran Vinh Q Tran (2) Vui Kim Tran James Tranan Tommy Trapp |

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| | | | Trawler Master Alston Trawler Raindear Partnership Trawler Wylie Milam Michael Treadaway Curtis Tregle William Paul Trehoan Gary J Treuil Manuel Trevino E H Buddy Treybig, Jr Donald G Triche Hung Hoa Triea Jackie & Hiep Trieu Jasmine & Ly Trieu Lorie Trieu Tam Trieu Christopher B Trinh Philip P Trinh Triple T Enterprises, Inc Clark K Trosclair Clark P Trosclair Eugene P Trosclair James J Trosclair Jerome Trosclair Joseph & Patricia Trosclair Lori Trosclair Louis V Trosclair Patricia Trosclair Randy Trosclair Ricky Trosclair Wallace Trosclair, Sr True World Foods, Inc Andre Truong Andre U Truong Be Van Truong Dac Truong Kim & Benjamin Truong Steve Truong Tham T Truong Thanh Minh Truong Timmy Truong George W Trutt, Sr Wanda Trutt Nguyen Q Tuan Huan Tuong Mervin A Turtlich Calvin L Turner Tyler James |

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| | | | John Tyre Ultima Cruz, Inc Terry R Upton Vi V Do Eddie James Vaisin J G Valentino, Jr James Valentino Christopher A & Nancy H Vallot Hugh P Valure Thien Van Do Jean T Van Gordstnoven Tung Van Huynh Lo Van Ngo Dung Van Nguyen Irving Van Nguyen Nho Van Nguyen Roe Van Nguyen Thanh Van Nguyen Trung Van Nguyen Vang Van Nguyen Thai Van Pham Tu Van Phan Ba Van Ta Hung Van Tran Miel Van Tran Nhanh Van Tran Phu Van Tran Nhut Van Truong Them Van Truong Hai Van Vo Cang To Van Long Van Nguyen Day Van Than Van Tran Phu Van Vui Van Kathy D & Malcolm Vanacor Bobbie Vanicor Matthew T VanMeter William Earl VanMeter Ba Van-Ta Randy L Varney Raymond S Vath William E Veasel, III Brien J Vegas Percy J Vegas Terry J Vegas |

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| | | | Terry J Vegas, Jr Terry Vegas, Jr Peter Vela Aaron Verdin Av Verdin Bradley J Verdin Brent A Verdin Charles A Verdin Charles E Verdin Coy P Verdin Curtis A Verdin, Jr Delphine & Jeffrey Verdin Diana & Joseph Verdin Ebro W Verdin Eric P Verdin Ernest Joseph Verdin, Sr Jeff C Verdin Jessie J Verdin John P Verdin Joseph A Verdin, Jr Joseph Cleveland Verdin Joseph S Verdin Justilien G Verdin Matthew W Verdin, Sr Michel A Verdin Paul E Verdin Perry Anthony Verdin Rodney Verdin Rodney P Verdin (2) Skylar Verdin Timmie Verdin Toby Verdin Tommy P Verdin Tony J Verdin Vincent Verdin Viness Verdin, Jr Wallace P Verdin Webb A Verdin Wesley D Verdin, Sr Jimmy R Verdine Joseph Thomas Vermeulen Darren L Verret Donald J Verret Ernest J Verret, Sr James A Verret Jean E Verret Jimmy J Verret, Sr |

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| | | | Johnny R Verret Joseph L Verret Paul L Verret Ronald P Verret Joseph A Versagg Versaggi Shrimp Corp Brent J Vicknair, Sr Duane P Vicknair Henry Dale Vicknair Ricky A Vicknair Corey Vidrine Kathi & Bill Vidrine Richard Vidrine Vietnamese-American Commerical Fisherman's Union William F Vila Villers Seafood Co, Inc Vincent Piazza Jr & Sons Seafood, Inc Gage T Vincent Gene Vincent Gene B Vincent Robert N Vincent Charles E Vise, III Barry A Vizier Christopher Vizier Cloris J Vizier, III Douglas M Vizier Tommie Vizier, Jr Anh M Vo Chin Van Vo Dam Vo Dan M Vo Dany Vo Day V Vo Duong V Vo Dustin Vo Hanh Xuan Vo Hien Van Vo Hoang The Vo Hong Vo Hung Thanh Vo Huy K Vo Johnny Vo Kent Vo (2) Man Vo Mark Van Vo Minh Hung Vo Minh Ngoc Vo |

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| | | | Minh Ray Vo Mong V Vo My Dung Thi Vo My Lynn Vo Nga Vo Nhon Tai Vo Quang Minh Vo Sang M Vo Sanh M Vo Song V Vo TA Vo Tan Thanh Vo Thanh Van Vo Tom Vo Tong Ba Vo Trao Van Vo Truong Vo Van Vo Van Van Vo Benjamin S Vodopija James L Vogt Eddie J Voisin Jamie Voison Harold L Von Harten Richard Vongrith Kirk Vossler Hung Vu John H Vu Khanh Vu Khanh H Vu Quan Quac Vu Sac Vu Sean Vu Tam Vu Thiem Ngoc Vu Thuy Vu Tom Vu Tu Viet Vu W H Blanchard, Inc W L & O, Inc Calvin J Wade, Jr Gerard Wade David M Waguespack, Sr Randy P Waguespack, II Vernon Wainwright Jerry Walker Rogers H Walker |

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| | | | Dennis Wallace Edward Wallace John Wallace Trevis L Wallace Jack Waller, Jr John M Waller Craig A Wallis Keith Wallis Samuel G Walters Marion M Walton Edward Joseph Wannage Fred Wannage, Jr Frederick W Wannage, Sr Clarence Ward, Jr Clifford Washington John Emile Washington, III Kevin Washington Louis N Washington Cecil K Wattigney, Jr Michael Wattigney Brandon A Watts Warren Watts Waymaker, Inc We Three, Inc Bobby Webb Bobby N Webb Donald Webre Dudley A Webre Harold Webster Webster's Inc Don Franklin Weeks Weems Bros Seafood Co Laddie E Weems Barry C Weinstein Rodney Weiskopf Todd Weiskopf Amos J Welch Douglas E Wells Stephen Ray Wells Steven W Wendling Charles W Wescovich Wesley Daryl Wescovich West Point Trawlers, Inc William J Whatley David L Whit Allen White, Sr Charles White |

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| | | | Gary Farrell White James Hugh White Perry J White Raymond White Robert White, Sr John Wicher Chad M Wiggins, Sr Ernest Wiggins Harry L Wiggins Matthew Wiggins Gerald Anthony Wilbur Robert Wilcox Alfred Adam Wiles Glen Gilbert Wiles Sonny Joel Wiles, Sr Gene D & Judith Wilkerson William Riley Wilkinson William E Smith Jr, Inc Allen Williams, Jr Andrew Williams B Dean Williams Clyde L Williams Dale A Williams Emmett J Williams Herman J Williams, Jr J T Williams John A Williams Johnny Paul Williams Joseph H Williams Kirk Williams Leopold A Williams Mark A Williams Mary Ann C & Ronnie Williams Melissa A Williams Nina Williams Parish Williams Roberto Williams Scott A Williams Steven Williams Thomas D Williams Richard L Williamson, Sr Derek C Willyard Donald R Willyard Alward Wilson Hosea Wilson Joe R Wilson Jonathan Wilson |

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| | | | Katherine Wilson Allen Wiltz Melvin Wing Allen Wiseman Clarence J Wiseman, Jr Jean Wiseman Joseph A Wiseman Michael T Wiseman, Jr Michael T Wiseman, Sr (2) Charles Wolfe Woods Fisheries, Inc Curtis Wright Leonard Wright Randy D Wright Douglas Yeamans Neil Yeamans Ronnie Yeamans Peon Yoeuth Harold Yopp Milton Thomas Yopp James Young Taing Young Willie Young Patricia D Yow Richard C Yow Anthony V Zanca, Sr Ashley A Zar Carl J Zar John Zar, III Steve Zar Steven Zar Troy A Zar John S Zerinque, Jr Zirlott Trawlers, Inc Curtis Zirlott, Jr Jason D Zirlott Jeremy Zirlott Kimberly & Jeremy Zirlott Milton Zirlott Perry Zirlott Rosa H Zirlott Brian C Zito Nguyen Q Zuan Michael A Zuvich, Jr |
| A-570-893 | 731-TA-1064 | Certain Frozen or Canned Warmwater Shrimp and Prawns/China | A. J. Horizon, Inc Al J Abadie Anthony Abadie |

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| | | | Charles Abner Steven Abraham Ace of Trade, LLC Dale J Ackerman Darryl L Acosta Jerry J Acosta, Sr Leonard C Acosta Wilson Acosta, Sr Ad Hoc Shrimp Trade Action Committee Denise T Adam Michael A Adam Richard B Adam, Jr Sherry P Adam William E Adam Alcide J Adams, Jr Dudley Adams Elizabeth Adams Ervin Adams George E Adams Hursy J Adams James Arthur Adams Kelly Adams Lawrence J Adams, Jr Randy Adams Ritchie Adams Steven A Adams Ted J Adams Tim Adams Whitney P Adams, Jr Ralph Agoff Ricardo Aguilar Roddy G Aguilard Don Ray Alario Nat Alario Pete J Alario Timmy Alario Craig J Albert Junior J Albert Aldebran, Inc Everett O Alexander Benny J Alexie Corkey A Alexie Dolphy Alexie Felix Alexie, Jr Gwendolyn Alexie John J Alexie John V Alexie |

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| | | | Larry J Alexie, Sr Larry Alexie, Jr Vincent L Alexie, Jr Barry S Alexis Craig W Alexis Michael & Monique Alexis Anthony E Alfonso, Jr Jesse Alfonso Nicholas Alfonso Paul A Alfonso Randy Alfonso Terry S Alfonso, Jr Vernon Alfonso, Jr Yvette Alfonso Angelo A Alimia, Jr Dean J Allemand Annie Allen Carolyn Sue Allen Jackie & Robin Allen Wayne Allen Wilbur L Allen Willie J Allen, III Willie Allen, Sr John Alphonso Alysia Renee, Inc Leo J Ancalade Claudene Ancar Jerry T Ancar Joe C Ancar Menlin Ancar, Sr William Ancar, Sr Gerald Ray Ancelet Andrew D Anderson Ernest W Anderson Jerry Anderson John Anderson Lynwood Anderson Melinda Rene Anderson Michael Brian Anderson Ronald L Anderson, Jr Ronald L Anderson, Sr Ronnie Anderson, Jr Miguel Andonie Anthony R Andrews Janice M Andry Rodney S Andry Angel Seafood, Inc |

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| | | | Angela Marie, Inc Louis Angelle Eugene Anglada, Sr Anna Grace LLC Annie Thornton, Inc Lester Ansardi Darren Anselmi Apalachee Girl, Inc Aparicio Trawlers Inc dba Marcosa Georgia P Arabie Joseph Arabie Craig J Arcement Donald Arcement, Sr Lester C Arcement Mathew J Arceneaux Michael K Arceneaux Christopher J Areas John Armbruster, III Paula D Armbruster Jude Armstrong, Jr George Arnesen Lonnie L Arnold, Jr Joseph T Arnona Robert Armondin Floyd Assavedo Gregory Kenneth Atwood Kenny Atwood Dewey F Aucoin Earl Aucoin Laine A Aucoin Perry J Aucoin Dennis Austin Dennis J Austin Brice Authement Craig L Authement Dion J Authement Dion S Authement Gordon Authement Lance M Authement Larry Authement Larry Authement, Sr Roger J Authement Sterling P Authement Bobby Autin Bruce J Autin Kenneth D Autin Marvin J Autin |

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| | | | Paul F Autin, Jr Roy Autin Albert J Avenel, Jr Conny Babb Brad Babin Joey L Babin Klint Babin Kirby Babineaux Vicki Babineaux Ke Van Bach Reo Long Bach Benny Backman Todd Badeaux Dewayne Baham Albert Bailey Antoine Bailey, III David B Bailey, Sr Don Bailey Clarence Baker Donald Earl Baker James Baker Kenneth Baker Antonio Balderas Richard Prentiss Baldwin Albert Ballard Barbara A Ballas Charles J Ballas John F Baltz Bama Sea Products, Inc John Ban Bruce K Bang Barbara Brooks, Inc Joe W Barbaree Mark A Barbe Louie W Barber, Sr Percy T Barbier Raymond A Barbour James E Bargainear George A Barisich Barisich, Inc Joseph J Barisich Nathan Barnhill Clarence Barrios (2) Corbert J Barrios Corbert M Barrios David Barrios John Barrios |

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| | | | Shane James Barrios Angela Gail Barrois Dana A Barrois Tracy James Barrois Wendell Jude Barrois, Jr Keith Barthe, Sr Allen M Barthelemy John A Barthelemy Rene T Barthelemy, Sr Walter A Barthelemy, Jr Mitchell Bartholomew Neil W Bartholomew Thomas E Bartholomew Wanda C Bartholomew Donald J Basse, Sr Mark Bates Ted Bates, Jr Vernan Bates, Jr Louis Battle Drake J Baudoin Murphy A Baudoin Stephen Baudouin Gary Bauer Glen P Baye Bayou Shrimp Processors, Inc Charles A Bean Glenn J Becnel Kent Becnel Carol F Beecher Ronald Beechler James E Bell Ronald A Bell Arnold Bellanger Clifton Bellanger Scott J Bellanger Derrell M Belsome Karl M Belsome Gary Lynn Bennett James W Bennett, Jr Louis Bennett Francis Benoit Nicholas L Benoit Paula T & Tenna J Benoit, Jr Walter T Benton Ray W Berger Alfred S Bergeron Jeff Bergeron |

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| | | | Nolan A Bergeron Ulysses J Bergeron Lamont L Bernard Mark J Berner Gerard J Berthelot, Sr James Berthelot Myron J Berthelot Jeri C Bertrand Best Sea-Pack of Texas, Inc Beth Lomonte, Inc Keith J Beverung Raymond W Bianchini Leo E Bickham Charles Bienvenu Big Grapes, Inc Jerry W Biggs, Sr Richard Billington Alfredia Billiot Arthur Billiot Aubrey & Betty Billiot Barell J Billiot Brian K Billiot Cassidy Billiot Charles Billiot, Sr Chris J Billiot, Sr E J E Billiot Earl W Billiot, Sr Ecton L Billiot Emary Billiot Forest Billiot, Jr Gerald Billiot Harold J Billiot Jacco A Billiot Jake A Billiot James Billiot, Jr Joseph S Billiot, Jr Laurence V Billiot Leonard F Billiot, Jr Lisa Billiot Mary L Billiot Paul J Billiot, Sr Shirley L Billiot Steve M Billiot Thomas Adam Billiot Thomas Billiot, Sr Wenceslaus Billiot, Jr Alexander J Billiot |

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| | | | Yale Biron William C Black Larry E Blackston Albert Blanchard Andrew J Blanchard Billy J Blanchard Cyrus Blanchard Daniel A Blanchard Dean Blanchard Douglas Blanchard, Jr Dwayne Blanchard Elgin Blanchard Gilbert Blanchard Jade Blanchard John F Blanchard, Jr Katie Blanchard Matt Joseph Blanchard Michael Blanchard Quentin T Blanchard Quentin Timothy Blanchard Roger Blanchard, Sr Quyen Bland Roy A Blouin Jack Blume, Jr Raymond Blunet, Sr Arturo Bodden Jasper Bodden Darren W Bolotte Larry F Bolton Bon Secour Boats, Inc Bon Secour Fisheries, Inc Paul J Bondi Jimmy J Bonvillain Donna M Bonvillian Clifton Felix Boone Donald F (Ricky) Boone, III Donald F Boone, II Gregory T Boone Noriss P Boquet, Jr Wilfred Boquet, Jr Glenn Bordelon, Sr James P Bordelon Shelby P Bordelon Benny Borden Crystal & Edward Borne Dina L Borne Edward Borne, Jr |

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| | | | Edward Borne, Sr Hubert L. Bosarge Robert Bosarge Durel A Boudlauch, Jr Larry Terrell Boudoin Nathan Boudoin Brent J Boudreaux Elvin J Boudreaux, III James C Boudreaux, Jr James N Boudreaux Jessie Boudreaux Leroy A Boudreaux Mark Boudreaux Paul Boudreaux, Sr Richard D Boudreaux Ronald Boudreaux, Sr Sally Boudreaux Veronica Boudreaux Dwayne Boudwin Jewel James Boudwin, Sr Wayne Boudwin Norman Bouise Irwin J Boulet, Jr Debra Boullion Allen T Bourg Benny Bourg Chad J Bourg Channon Bourg Chris Bourg Douglas Bourg Glenn A Bourg Jearmie Bourg, Sr Kent A Bourg Mark Bourg Nolan P Bourg Ricky J Bourg Albert P Bourgeois Brian J Bourgeois, Jr Daniel Bourgeois Dwayne Bourgeois Jake Bourgeois Johnny M Bourgeois Johnny M Bourgeois, Jr Leon A Bourgeois Louis A Bourgeois Merrie E Bourgeois Randy P Bourgeois |

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| | | | Reed Bourgeois Webley Bourgeois Chris Bourn Murphy Paul Bourque Ray Bourque Duvic Bousegard, Jr Manuel J Boutte, Jr Colbert A Bouvier, II Dale J Bouzigard Edgar J Bouzigard, III Eeris Bouzigard Harold Bowers Tommy Bowers Danny Boy David E Boyd, Sr Elbert Boyd Darren L Boykin Thomas C Boykin James Bradley Brian Brady Kay Brandhurst Ray E Brandhurst, Sr David G Braneff William P Brannan Donald James Branom, Jr James M Braud Frank J Brazan Irvin F Breaud, Jr Barbara & Shelby Breaux Brian J Breaux Charlie M Breaux Clifford Breaux Colin E Breaux Daniel Breaux, Jr Larry J Breaux Robert J Breaux, Jr Robert F Briscoe, Jr L D Britsch, Jr Dwayne E Broussard Eric Broussard Keith Broussard Larry Broussard Mark A Broussard Roger David Broussard Roger R Broussard Steve P Broussard Cindy B Brown |

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| | | | Colleen Brown Donald G Brown John W Brown Paul R Brown Toby H Brown Adam J Bruce Bob R Bruce Daniel M Bruce, Sr Emelda L Bruce Gary J Bruce, Sr James P Bruce Lester J Bruce, Jr Margie L Bruce Mary P Bruce Nathan Bruce Robert Bruce Russell Bruce Peter Brudnock, Sr Elton J Brunet Joseph Brunet Joseph A Brunet Levy J Brunet, Jr Bryan Fishermens' Co-op, Inc David N Bryan Ina Fay V Bryant Jack D Bryant, Sr James L Bryant Bubba Daniels, Inc Ernest Buford Ben Bui Dich Bui Dung Thi Bui Huong T Bui Ngan Bui Nhuan Bui Nuoi Van Bui Tai Bui Tieu Bui Tommy Bui Bumble Bee Seafoods, LLC Belvina (Kenneth) Bundy Kenneth Bundy, Sr Nicky Bundy Ronald J Bundy John Buquet, Jr Clayton M Buras Leander Buras |

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| | | | Robert M Buras, Jr Waylon J Buras Elliott C Burlett John C Burlett, Jr Burnell Trawlers, Inc Charles R Burnell Deanna Lea Burnham Stuart E Burns Lindsey Hilton Burroughs, Jr Ronnie Burton Hardy E Busby Tex H Busby Robert A Bush Tyler Bussey Dorothy Butcher Rocky J Butcher Albert A Butler Aline Butler Johnny Bychurch Johnny Bychurch, Jr Alex Cabanilla Jose Santos Caboz Anthony Cacioppo, Jr Mae Quick Cadiere Ronald Cadiere Jack Cahill Stanford Caillouet, Jr Jerry Lane Caison, Jr Stephen P Calcagno, Sr John S Calderone Gene P Callahan, Sr Michael J Callahan Russell Callahan Ann Callais Franklin D Callais Gary D Callais Michael Callais (2) Sandy Callais Terrence Callais Anna Camardelle Chris J Camardelle David Camardelle Edward J Camardelle, III Edward Camardelle, Jr Harris A Camardelle Knowles Camardelle Noel T Camardelle |

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| | | | Tilman Camardelle, Jr John A Caminita, III Donald Paul Campo Kevin Campo Nicholas J Campo Roy Campo Roy Campo, Sr Ernest M Camus, Jr Carl Canova Alvin Cantrelle Eugene J Cantrelle Otis A Cantrelle Otis Cantrelle, Jr Phillip A Cantrelle Tate Cantrelle Robert Joseph Canty Binh Cao Quang Billy Viet Cao Dan Dien Cao Dung Van Cao Heip A Cao Huyen Linh Cao Nghia Thi Cao Si-Van Cao Thanh Kim Cao Tuong Van Cao Capt Chance, Inc Capt. Aaron Capt. Bean (Richard A Ragas) Capt. Bubba, Inc Capt. Carlos Trawlers, Inc Capt. Craig, Inc. Capt. Dickie V, Inc Capt. Doug Capt. GDA, Inc Capt. JDL, Inc Capt. Jimmy Inc Capt. Ken Capt. Seth, Inc Capt. Wally, Inc Captain Arnulfo, Inc Jack G Carinhas, Jr Gregory Carlos Irvin Carlos Carly Sue, Inc David J Carmadelle Rudy J Carmadelle |

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| | | | Larry G Carmandelle Carolina Sea Foods, Inc Anthony T Carrere, Jr Larry J Carrier Carson & Co, Inc Michael Caruso David W Casanova, Sr Alphonse G Cassagne, III Alphonse G Cassagne, IV Joseph Casso Gilbert Castelin Sharon Castelin Raul L Castellanos John A Castelluccio, Jr Joshua Castille Adolph Caulfield, Jr Hope Caulfield James & Jean Caulfield Salvador Cepriano Julius W Cerdas, Jr Marla Cerise CF Gollott and Son Seafood, Inc John Chabert Dean J Chaisson Henry Chaisson Vincent A Chaisson Thomas B Chaix, III Brian Champagne Harold P Champagne Kenton Champagne Leroy Champagne Lori Champagne Timmy D Champagne Willard Champagne Kim J Champlin Jason Chance Jeff Chancey Arturo Chapa Robert G Chaplin, Sr Saxby S Chaplin Charlee Girl Christopher Charles Charlotte Maier, Inc Allen J Charpentier Alvin Charpentier Daniel J Charpentier Lawrence Charpentier |

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| | | | Linton Charpentier Melanie Charpentier Murphy Charpentier, Jr Robert J Charpentier Michelle Chartier Minh Huu Chau Anthony Chauvin Anthony P Chauvin, Jr Carey M Chauvin David James Chauvin James E Chauvin Kimberly Kay Chauvin Alton Bruce Cheeks Ricky Chenier Alan Cheramie Alan J Cheramie, Jr Alton J Cheramie Berwick Cheramie, Jr Berwick Cheramie, Sr Daniel James Cheramie, Sr Danny Cheramie David J Cheramie David P Cheramie Dickey & Robbie Cheramie Donald Cheramie Enola & Murphy J Cheramie Flint Cheramie Harold L Cheramie Harry Cheramie, Jr Harry Cheramie, Sr Harvey Cheramie, Jr Harvey Cheramie, Sr Henry J Cheramie, Sr James Cheramie James A Cheramie Jody P Cheramie Joey J Cheramie Johnny Cheramie Joseph Cheramie Lee Allen Cheramie Linton J Cheramie Mark A Cheramie Murphy J Cheramie Nathan A Cheramie, Sr Neddy P Cheramie Nicky J Cheramie Ojess M Cheramie |

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| | | | Paris P Cheramie Robbie Cheramie Rodney E Cheramie, Jr Ronald Cheramie Roy Cheramie Roy A Cheramie Sally K Cheramie Terry J Cheramie Timmy Cheramie Tina Cheramie Todd Cheramie Tommy Cheramie Wayne A Cheramie Wayne F Cheramie, Sr Wayne J Cheramie Webb Cheramie, Jr Mitch Chevalier Thomas J Chew Jody J Chiasson Manton P Chiasson, Jr Gordon Childress Arthur Chisolm Henry Chisolm, Jr David Christen, Jr Vernon Christen Long V Chung Ngo V Chuong Vance Ciaccio Bozidar Cibilic John Cieutat Albino Cisneros James M Clark Jenings Clark Mark A Clark Ricky L Clark Michael A Cobb Jimmy Cochran Ernest Coleman Freddie Coleman, Jr Rodney A Colletti Ervin J Collier Wade Collier Bernard J Collins Bruce J Collins, Jr Donald Collins Earline Collins Eddie F Collins, Jr |

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| | | | Jack Collins (2) Julius Collins Lawson Bruce Collins, Sr Lindy S Collins, Jr Logan A Collins, Jr Robert Collins Timmy P Collins Vendon Collins, Jr Wilbert Collins, Jr Woodrow Collins Chris & Michelle Colson Michael J Comardelle Allen J Comeaux Curtis J Compeaux Gary P Compeaux Harris Compeaux Jody Cone Van Phan Cong Mario Contreras Edwin A Cook, Jr Edwin A Cook, Sr Joshua Cook Larry R Cook, Sr Theodore D Cook Ernest Neal Cooksey Acy J Cooper, III Acy J Cooper, Jr Acy Cooper, Sr Christopher W Cooper Jon C Cooper Marla F Cooper Vincent J Cooper John R Copeman Roger Cornwall Brenda M & Daniel Cortez Cathy & Curtis Cortez Edgar Cortez Keith J Cortez Leslie J Cortez Robert K Cosse Clayton Coston John Gordon Cotsovolos Allen J Coulon, Jr Allen J Coulon, Sr Amy M Coulon Cleveland F & Earline N Coulon Darrin M Coulon |

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| | | | Don Coulon Ellis Coulon, Jr Country, Inc Ronnie Courville Michael Dudley Cowdrey Michael Nelson Cowdrey Michael T Crain Brian D Crawford Steven J Crawford Quentin Creamer Todd A Credeur, Sr Tony J Credeur Carlton Creppel Catherine Creppel Craig Creppel Freddy Creppel Isadore Creppel, Jr Julinne G Creppel, III Kenneth Creppel (2) Nathan J Creppel, Jr Michael P Creppel Charles J Cristina Sterling James Crochet Tony J Crochet Benjy J Crosby Darlene Crosby Leonard W Crosby, Jr Ted J Crosby Thomas Crosby Lonnie Crum Melinda Cubbage Anthony J Cuccia Anthony J Cuccia, Jr Kevin Cuccia Bryan E Cumbie Hung Cuong Mike Cure Keith J Curole Kevin P & Margaret B Curole Willie P Curole, Jr Custom Pack, Inc Jason Cutrer T Cvitanovich D.G. & R.C., Inc D.S.L & R., Inc DaHa, Inc/Cat'Sass Alfred Daigle |

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| | | | David J Daigle E J Daigle Glenn Daigle Jamie J Daigle Jason Daigle Kirk Daigle Leonard P Daigle Lloyd Daigle Louis J Daigle Melanie Daigle Michael & JoAnne Daigle Michael J Daigle Nona & Cleve Daigle Jeff Daisy Cleveland L Dale David Dang Khang Dang Loan Thi Dang Minh Dang Tao Kevin Dang Thang Duc Dang Thien Van Dang Thuy Dang Van D Dang David Daniels Henry Daniels Leslie Daniels Albert Danos, Sr James A Danos Jared Danos Oliver Danos Oliver J Danos Ricky P Danos Rodney Danos Timothy A Danos Debi d'Antignac Jack d'Antignac Archie A Dantin Mark S Dantin, Sr Stephen Dantin, Jr Paul Dao Vang Dao Chrysti Dao-Nguyen Albert L Darda, Jr Gertrude & Herbert Darda J C Darda Jeremy & Tammy Darda |

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| | | | Trudy Darda Alvin Dardar Basil Dardar, Sr Basile J Dardar Cindy Dardar David Dardar Donald S Dardar Edison S Dardar, Sr Gayle & Gilbert Dardar Isadore J Dardar, Jr Jacqueline Dardar Jonathan M Dardar Lanny Dardar Larry J Dardar Mary Dardar Neal A Dardar Norbert Dardar Percy B Dardar Rose Dardar Rusty J Dardar Samuel Dardar Summersgill Dardar Terry & Patti V Dardar Toney M Dardar, Jr Toney Dardar, Sr Stephen Dargis Louis Dassau David Gollott Sfd Inc Philip J David, Jr Cliff Davis Daniel A Davis Danny A Davis James Davis John W Davis Joseph D Davis Michael Steven Davis Ronald B Davis William T Davis, Jr William Theron Davis Ilene L Dean John N Dean Stephen Dean Deau Nook Brian K DeBarge Thomas D & Sherry DeBarge Debbe Anne, Inc John Decoursey |

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| | | | Walter Dedon Deep Sea Foods, Inc/Jubilee Foods, Inc Darryl Deere David E Deere Dennis H Deere Robin & Tracie L Defelice Ashton J DeHart, Sr Bernard J Dehart Blair Dehart Clevis Dehart Clevis Dehart, Jr Curtis P DeHart, Sr Eura Dehart, Sr Ferrell Dehart Leonard M Dehart David E DeHillier Chris N DeJean, Jr & Chris N DeJean, Sr Bonnie D Dekemel WM Dekemel, Jr Avery T DelaCruz Ten Chie & Paul Delande Michael J Delatte, Sr Kip M Delaune Thomas J Delaune Todd J Delaune Carroll A Delcambre Jesse Delgado Carlton & Lorene Delino Stephen W Deloach, Jr Herman J Demoll, Jr Herman J Demoll, Sr James C Demoll, Jr Ralph Demoll Robert C Demoll Terry R Demoll Freddy Demolle Otis Demolle Fred Dennis Barbara H Deroche Caghe Derouen Rodney Deshotel David DeSilvey Byron J Despaux Byron J Despaux, Jr Glen A Despaux Ken Despaux Kerry Despaux |

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| | | | Suzanne Despaux David E Detillier Bobby C DeVaney, Jr Wesley Frank Dickey Vu Diep Anita & Corbert Dinger, Sr Eric Dinger Mark H Dinger Chau T Dinh Khai Duc Dinh Lien Dinh Toan Dihn Ernest Dion Paul A Dion Thomas Autry Dion Paul A Disalvo Robert E Dismuke, Sr Dominick Ditcharo, III David Dixon Cuong V Do Dan C Do Dung V Do Hai Van Do Hieu Do Hong Ky Do Hung Do Hung V Do Johnny Do Kiet Van Do Ky Quoc Do Lam Do Liet Van Do Luong Van Do Minh Do Minh Van Do Nghiep Van Do Ta Do (2) Ta Phon Do Thanh V Do Theo V Do Tinh Do Tinh A Do Tri Do Joseph Doan Minh Doan & Liem Doan Ngoc Doan Darryl Domangue |

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| | | | Emile Domangue Mary Domangue Michael Domangue Paul Domangue Ranzell Domangue, Sr Stephen Domangue Westley Domangue Carolyn Domingo Amy R Dominique Gerald Dominique Ernest N Donini David C Donnelly Holly M Donohue Donovan Tien I & II Denise F Dooley Craig B Dopson Presley J Dore Preston J Dore, Jr Janthan C Dorr, Jr Paul J Doucet, Sr Colleen Downey Robert Lee Doxey, Sr Ruben A & William L Doxey John T Doyle Dragnet, Inc John Drawdy Bruce W Drury, Jr Bruce W Drury, Sr Bryant J Drury Eric S Drury Helen M Drury Jeff Drury, III Kevin Drury Kevin S Drury, Sr Steve R Drury Steven J Drury James F Dubberly (3) James Michael Dubberly James Michael Dubberly, Jr John J Dubberly Euris A Dubois John D Dubois, Jr Lonnie J Dubois Louuie J Dubois Kermit Paul Duck Anthony Dudenhefer Connie S Dudenhefer |

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| | | | Eugene A Dudenhefer Milton J Dudenhefer, Jr Brad J Duet Darrel A Duet Guy Duet Jace J Duet Jay Duet John P Duet Larson Duet Ramie Duet Raymond J Duet Tammy B Duet Tyrone Duet Archie Dufrene Charles Dufrene Curt F Dufrene Elson A Dufrene Eric Dufrene Eric F Dufrene, Jr LLC Golden J Dufrene Jeremy M Dufrene Juliette B & Scottie M Dufrene Leroy J Dufrene Milton Dufrene Ronald A Dufrene, Jr Ronald A Dufrene, Sr Toby Dufrene Edward A Dugar, II Donald John Dugas Edward A Dugas, III Henri J Dugas, IV Greta Duhe Dunamis Towing, Inc Faye E & Gary Duncan Loyde C Duncan Bob Dunn Billy Duong Chamroeun Duong E M Duong Ho T Duong Kong Duong Mau Duong Blair P Duplantis David Duplantis Frankie J Duplantis Maria Duplantis Teddy Duplantis |

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| | | | Wedgir Duplantis, Jr Anthony James Duplessis, Sr Bonnie S Duplessis Clarence R Duplessis Brandon P Dupre Cecil Dupre David A Dupre Davis J Dupre, Jr Easton J Dupre Jimmie Dupre, Sr Linward P Dupre Mary L Dupre Michael J Dupre Michael J Dupre, Jr Randall P Dupre Richard A Dupre Rudy P Dupre Ryan A Dupre Tony J Dupre Troy A Dupre Bryan Dupree Derrick Dupree Malcolm J Dupree, Sr Clayton J Dupuis Walter Y Durand Melvn A Dusang Denvai H Duval, Sr Wayne Duval Nadine D Dyer Bert L Dykes Adley L Dyson, Jr Adley L Dyson, Sr Amy Dyson Casandra Dyson Clarence Dyson, III Jimmy L Dyson, Sr Jimmy Dyson, Jr Kathleen Dyson Maricela Dyson Phillip Dyson, II Phillip Dyson, Sr William Dyson Bill Eckerd Angela B Edens Donnie Edens Jeremy Donald Edens Nancy M Edens |

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| | | | Steven L Edens Timothy Dale Edens Daniel Edgar Joey Edgar Roosevelt Edgerson Edward Garcia Trawlers Tommy Edwards Jody D Ellerbee David Ellison, Jr Elmira Pflueckhahn, Inc Alfred Encalade, Jr Anthony T Encalade Cary Encalade Joshua C Encalade Stanley A Encalade Joseph L Enclade Michael Enclade & Jeannie Pitre Rodney J Enclade Alfred Englade A L Ennis, Jr Enterprise Inc Grant Erickson Carroll Erlinger Gary R Erlinger Keith A Eschete Benny A Esfeller Kenneth Eskine Ernest J Esponge David James Estaves, Sr Ricky Joseph Estaves Allen J Estay Wayne Estay Anthony E Esteves, Jr Orestes Estrada Emile J Evans, Jr Kevin J Evans Lester Evans Lester J Evans, Jr Tracey J Evans, Sr George C Everson Brian P Eymard, Sr Jervis J & Carolyn B Eymard Morris C Fabiano Mark Fabra Alton Fabre, Jr Ernest J & Peggy B Fabre Kelly V Fabre |

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| | | | Sheron Fabre Terry A Fabre Wayne M Fabre Mitchell J Falcon Barney Falgout Jerry P Falgout Leroy J Falgout Timothy J Falgout Barry Fanguy Thomas J Farris Christopher J Fasone William J Fasone Lester J Faulk Thomas J Favaloro Michael Favre, Jr Jeffery Fazende Thomas Fazende Thomas G Fazende Anthony Fazzio Douglas Fazzio Maxine & Steve Fazzio E J Felarise Wayne A Felarise, Sr Laudelino Fernandez Audrey B Ferrara Dominick Ficarino, Jr Bryan Fields Anthony F Fillinich Anthony Fillinich, Sr Jack Fillinich Penny Fincher William Fincher Burton E Fisch Kelly Fisher Kirk Fisher Kirk A Fisher Fisherman's Reef Shrimp Co Adam Fitch Hanson Fitch Burnell Fitzgerald Kirk Fitzgerald Kirk D Fitzgerald Ricky J Fitzgerald, Jr John M Fleming Meigs F Fleming Mike Fleming Dana Flick |

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| | | | Helena D Flores Thomas Flores Steve W Flowers Vincent F Flowers David M & Mary Folse Heath Folse Ronald B Folse Francis Fonseca, Sr William S Fontaine Peggy D Fontenot Judy Ford Warren Wayne Ford Ralph Foreman, Jr Alva J Foret Billy J Foret Brent J Foret Glenn Foret Houston Foret Lovelace A Foret, Sr Loveless A Foret, Jr Mark M Foret Patricia C Foret David P Forrest John Forsythe Fortune Shrimp Co, Inc Michael A Fortune George J France Albert Francis James K Franklin Anthony Frankovich Michael Franks Richard Wayne Frauenberger David J Frazier David M Frazier James Frazier Michael Frazier Davis Frederick Johnnie & Jeannie Frederick Michael Frederick Freedom Fishing, Inc Arthur D Freeman Darrel P Freeman, Sr Larry Scott Freeman Charles P Frelich Floyd J Frelich Kent Frelich Doug Frerics |

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| | | | Albert R Frerks, Jr Darell Frickey Darren Frickey Dirk I Frickey Eric J Frickey Harry J Frickey, Jr Jimmy Frickey Rickey J Frickey Westley Frickey Brad Friloux Jeanette M Frisella Jerome A Frisella, Jr Wade P Fruge G & O Shrimp Co, Inc G. R. LeBlanc Trawlers, Inc James Gadson Dwayne Gaines Christine Gala Jess J Galjour Reed Galjour John W Gallardo Anthony Galliano Horace J Galliano Joseph Galliano, Sr Logan J Galliano Lynne L Galliano Moise Galliano, Jr A T Galloway, Jr Giles F Galt Luvencie J Gambarella Kristine Ganoi Ana M Garcia Anthony Garcia Edward Garcia Joseph Garcia Kenneth Garcia Larry S Garner Dalton J Gary Ernest J Gary Leonce Gary, Jr Andrew Garza Jose H Garza Elbert Clinton & Sandra Gaskill Timothy Gaspar Dudley A Gaspard, Jr Hazel C Gaspard & Aaron Gaspard Leonard J Gaspard |

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| | | | Michael Gaspard, Sr Murry Gaspard Murry A Gaspard, Jr Murry Gaspard, Sr Murvin Gaspard Ronald W Gaspard, Sr Ronald Wayne Gaspard, Jr Elizabeth & Gregory M Gaubert Melvin Gaubert Allen J Gaudet, IV Ricky Gaudet, Jr Hewitt J Gauthier, Sr William A Gautreaux Norman F Gay Robert G Gay Daryl G Gazzier Emanuel A Gazzier Wilfred E Gazzier William F Gegenheimer James Geiling Tony Geisman Robert Gentry Samuel W Gentry, Jr James J George, Jr Clara Gerica Peter Gerica Corey P Giambrone Eddie E Gibson Joseph Gibson Ronald F Gibson James D Gillikin Chad Paul Girard Mark Giroir Anthony J Gisclair Anthony Joseph Gisclair, Sr August Gisclair Dallas J Gisclair, Sr Doyle A Gisclair Kip J Gisclair Romona Gisclair Wade Gisclair Walter Gisclair Charles D Glover Larry Glynn George Goetz Robert E Goings Gold Coast Seafood, Inc |

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| | | | Golden Gulf Coast Pkg Co, Inc George T Golden William L Golden Brian Gollot Edgar R Gollot Gollott Brothers Sfd Co, Inc Arnold Gonzales, Jr Mrs Cyril E Gonzales, Jr Rene R Gonzales Rudolph S Gonzales Rudolph S Gonzales, Jr Rudolph S Gonzales, Sr Sylvia A Gonzales Tim J Gonzales Jorge Gonzalez, Jr Donald E Gordon Patrick Alvin Gordon Jean J Gordstnoven Henry H Gore Isabel Gore Thomas L Gore Timothy A Gore Gregory Gottschalk Harold C Gourgues, Jr Tony C Goutierrez Darrell Graham Steven H Graham Grandpa's Dream Albert J Granger, Sr Stephen Granier Michael Grass Robert N Graves, Sr Jeannette Gray Monroe & Shirley E Gray Wayne A Gray, Sr Ruston Graybill Craig X Green James W Green, Jr Shaun Green W C Greenlaw, Jr Ernest L Gregoire Rita M Gregoire Curtis B Gregory Mercedes E Gregory Raymond L Grice, Jr Alden J Griffin, Sr David D Griffin |

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| | | | Elvis Joseph Griffin, Jr Faye Griffin Faye Ann Griffin Jimmie J Griffin Nolty J Griffin Rickey Griffin Sharon Griffin Timothy Griffin Troy D Griffin Alfred A & John Groff Hank Groover Brent J Gros, Sr Craig J Gros Danny A Gros Gary Gros, Sr Junius A Gros, Jr Keven Gros Michael A Gros Homer Gross Janet M & Tate Grossie Shane A Grossie Jimmie C Grow John Guenther, Jr Raphael Guenther Bruce Guerra Chad L Guerra Fabian C Guerra Guy A Guerra Kurt P Guerra, Sr Ricky J Guerra Robert Guerra Ryan Guerra Troy A Guerra William Guerra, Jr Warren J Guidroz Alvin A Guidry Andy J Guidry Arthur Guidry Bud Guidry Calvin P Guidry & Holly A Guidry-Calva Carl J Guidry Charles J Guidry Chris J Guidry Clarence P Guidry Clark Guidry Clint Guidry Clinton P Guidry, Jr |

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| | | | Clyde A Guidry David Guidry Dobie Guidry Douglas J Guidry, Sr Elgy Guidry, III Elgy Guidry, Jr Elwin A Guidry, Jr Gerald A Guidry Gordon Guidry, Jr Guillaume A Guidry Harold Guidry Jason Guidry Jessie J Guidry (2) Jonathan Guidry Joseph T Guidry Keith M Guidry Kenneth J Guidry Kerry A Guidry Marco Guidry Michael J Guidry Nolan J Guidry, Sr Randy Peter Guidry, Sr Rhonda S Guidry Robert C Guidry Robert J Guidry Robert W Guidry Roger Guidry Ronald Guidry Roy Anthony Guidry Roy J Guidry Tammy Guidry Thomas P Guidry Timothy Guidry Troy Guidry (2) Ulysses Guidry Vicki Guidry Wayne J Guidry Wyatt Guidry Yvonne Guidry Donald J & Lou Guilbeax Shirley Guillie Horace H Guillory Benjamin J Guillot, Jr Rickey A Guillot Gulf Crown Seafood Co, Inc Gulf Fish, Inc Gulf Island Shrimp & Seafood II, LLC |

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| | | | Gulf Shrimp Gulf Sweeper, Inc (Trawler Gulf Sweeper) Gulf Trawlers Lee Gullledge Anita Gutierrez Jody Guy Kimothy Paul Guy Wilson Guy Cherie Lan Ha Co Dong Ha Lai Thuy Thi Ha Lyanna Ha Johnny Hafford Hagan & Miley, Inc Robbin Richard Haiglea William E Hales Rhonda L Halili Byron S & Lorrie A Hall Darrel T Hall, Sr Michael P Hammer Julius Michael Hammock William Handlin, Sr Cam T Hang Chris Hansen Eric P Hansen Edmond A Hanson Louis Harbison Louis Hardison John C Hardy Sharon Hardy Londrie Harley Michelle Harmon George J Harrington Jay Harrington Bobby D Harris Buster Harris Jimmy Wayne Harris, Sr Johnny Ray Harris Kenneth A Harris Susan D Harris William Harris Daniel L Harrison Leon M Hartmann, Jr Walter Hartmann, Jr Errol Henry Hattaway Kenneth Haycock Gregory Haydel |

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| | | | Clinton Hayes (C&S Enterprises of Brandon, Inc) Katherine F & Lod Hayes, Jr Hong Hean Walter Heathcock, Jr Albert Joseph & Betty Jo Hebert Bernie Hebert Chris Hebert Craig J Hebert David Hebert David Hebert, Jr Earl J Hebert Eric J Hebert Jack M Hebert Johnny Paul Hebert Jonathan Hebert Jules J Hebert Kim M Hebert Lloyd S Hebert, III Michael J Hebert Myron A Hebert Norman Hebert Patrick Hebert Patrick A Hebert Pennington Hebert, Jr Philip Hebert Robert A Hebert Terry W Hebert Gerald J Hedrick, Jr Helen E, Inc Helen Kay, Inc Claudia A & Gerry J Helmer Herman C Helmer, Jr Kenneth Helmer Larry J Helmer, Sr Michael A Helmer, Sr Rusty L Helmer Windy Helmer Brad Henderson Curtis Henderson David A Henderson, Sr & David A Henderson, Jr Olen Henderson P Loam Henderson Joanne Henry Rodney Henry Patrick & Terry Herbert Rodney O Hereford, Jr Rodney O Hereford, Sr |

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| | | | Corey Hernandez Mark Herndon Charles W Hertel Edward C Hertz, Sr Allen L Hess Allen L Hess, Sr Henry D Hess, Jr Jessica R Hess Wayne B Hess James Hewett Hi Seas of Dulac, Inc John Hickman James W Hicks Larry W Hicks Walter R Hicks Nguyen Hien Joseph J Higgins, III Darren S Hill Joseph R Hill Sharon Hill Willie E Hill, Jr Herman W Hills Barbara E & Roland T Hingle, Jr Rick A Hingle Roland T Hingle, Sr Ronald J Hingle R Hinojosa Randy Hinojosa Ricky A Hinojosa Nicole Marie Hipps Dung Tan Ho Hung Ho Jennifer Ho Lam Ho Nga T Ho O Ho Sang N Ho Than H Quoc Ho Thanh Q Ho Thanh Qisoe Ho Thien Dang Ho Tien Van Ho Tri T Ho Dung T Hoang Hoa Hoang John & Julie Hoang Julie Hoang |

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| | | | Kimberly Hoang Linda Hoang Loan Hoang Tro Van Hoang Trung Kim Hoang Trung Tuan Hoang Ly Hoc Harry K Hoffpaviz Boyce Dwight Holler, Jr Dennis J Hollier Carl D Holloway Home Loving Care, Co Malcolm Hood Douglas Hopton Shawn Horaist Warren L Hostettler, II Claude Hotard Emile J Hotard, Jr Jeff B Howard Wendell Howerin, Sr Keith Hubbard Perry Hubbard Berry T Huber Charles A Huber Irma Elaine Huck Steven R Huck Harold Huckabee Patrick A Hue Brad J Hughes Thomas Hults Daniel Hutcherson Douglas Hutchinson George D Hutchinson William H Hutchinson Cynthia E & Henry G Hutto, Jr Hai Van Huyng Dung Huynh Dung V Huynh Hai Huynh (2) Hoang D Huynh Hoang Van Huynh Hung Huynh Johnnie Huynh Kim Huynh Lay Huynh Long Huynh Mack Van Huynh |

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| | | | Mau Van Huynh Minh Huynh Minh V Huynh Nam Van Huynh Thai Huynh Thanh Huynh The V Huynh Tri Huynh Truc Huynh Tu Huynh (2) Van X Huynh Viet Van Huynh Joseph Hymel, Jr Michael D Hymel Nolan J Hymel, Sr Independent Fish Company, Inc Herbert W Ingham Richard M Inglis Joseph S Ingraham Integrity Fisheries, Inc International Oceanic Ent William B Ipock Isabel Maier, Inc George Iver, Jr J & J Rentals, Inc Carl John Jackson David Jackson Eugene O Jackson Glenn C Jackson, Jr Glenn C Jackson, Sr James Jerome Jackson John D Jackson John E Jackson, Sr Levi Jackson Nancy L Jackson Robert W Jackson Shannon Jackson Shaun C Jackson Steven A Jackson Jacob A, Inc Ronald R Jacob Warren J Jacob, Jr Lawrence F Jacobs Billy & Marilyn Jarreau James D Jarvis Emma Jaye JBS Packing Co, Inc |

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| | | | Vincent R Jeanfreau William Jefferies Timothy Michael Jemison, Sr Jacobs Jennings Jesse Shantelle, Inc Harold J Joffrion, Jr Montha Jok & Tan No Le Albert F Johnson Ashley L Johnson Bernard Johnson, Jr Brent W Johnson Bruce W Johnson Carl S Johnson Carolyn Johnson Clyde Johnson, Sr David G Johnson David Paul Johnson Gary Allen Johnson, Sr George D Johnson Randy J Johnson Regenia Johnson Robert Johnson Ronald Ray Johnson, Sr Steve Johnson Thomas Allen Johnson, Jr Ronald Johnston Nicholas J Joly, Jr Charles Jones Clinton & Daisy Mae Jones Jerome N Jones, Sr John W Jones Larry Jones Len Jones Michael G Jones, Sr Paul E Jones Perry T Jones, Sr Ralph William Jones Richard G Jones, Sr Stephen K Jones Joni John, Inc (Leon J Champagne) Donald F Joost Dean Jordan Hubert W Jordan, III (Bert) Hubert W Jordan, Jr Joseph Anthony Ramon G Judalet William Roger Judy |

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| | | | Ida Julian John I Julian, Sr Julie Ann LLC Julie Shrimp Co, Inc (Trawler Julie) Julio Gonzalez Boat Builders, Inc Anthony Juneau, Sr Bruce Juneau Robert A & Laura K Juneau, Jr Leander J Jurjevich K & J Trawlers Jules B Kain, Sr Martin A Kain Kandi Sue, Inc Chamroeun Kang Sambo Kang Brenda Kap KBL, Corp Robert M Keenan Robert Steven Keer Kenneth & Roxanne Kellum, Sr Larry Gray Kellum, Sr Roger B Kelly Thomas E Kelly Chuck J Kendrick Michael S Kennair Dothan Kennedy Kenneth Garcia Trawlers David Kenney, Jr Robert W Kenney Michael A Kent Bunly Keo Steve Kerchner Thurmond Kern Sochenda Khin Lep & Nga Ho Khui Frank Kidd Hank J Kiff Melvin Kiff Horace Kiffe Puch Kim Carson Kimbrough Soeun Kim-Tun Andy A King James B & Wesley King Thornell King An Kit Anthony J Kizer |

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| | | | Robert Kleimann Robert Klein Alton P Knapp, Jr Alton P Knapp, Sr Ellis L Knapp, Jr Melvin L Knapp Theresa Knapp Frederick Knecht, Jr Lee Knezek George Knight Keith B Knight Knight's Seafood Inc Howard J Koch Seng Kong Bobby Konitz Curtis S Koonce Howard N Koonce Mark L Kopszywa Stanley J Kopszywa Stejepan Kotulja Bridget Kraemer Wilbert Kraemer, Jr David Kramer Arthur Krantz, Jr Lori Krantz Ronald A Kreger, Sr Roy J Kreger, Sr Ryan A Kreger Raymond A Krennerich Frank D Kruth Alphonse L Kuchler, III Bruce A Kuhn, Sr Gerard R Kuhn, Jr Gerard R Kuhn, Sr Deborah & Robert Michaels Kuhns L & O Trawlers, Inc L.W. Graham, Inc La Pachita, Inc Kerry LaBauve Sabrina LaBauve Terry LaBauve Todd A LaBiche Carroll LaBove Frederick P LaBove Jacqueline Lachica Douglas Lachico Tony C Lacobon |

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| | | | Tommy W Lagoon Broddie LaCoste Carl LaCoste Dennis E LaCoste Grayland J LaCoste Malcomb LaCoste, Jr Melivn LaCoste Ravin LaCoste, Jr Ravin LaCoste, Sr Clarence J Ladner, III Earlene G Ladson Lady Barbara, Inc Lady Katherine, Inc Lady Kelly, Inc Lady Melissa, Inc Douglas A LaFont, Sr Edna S LaFont Lafont, Inc Jackin Lafont Noces J LaFont, Jr Weyland J LaFont, Sr Lafourche Clipper, Inc Joseph T LaFrance Frank N Lagarde Gary Paul Lagarde Hen K Lai Then Lai Cang Van Lam Cui Lam (2) Dong Lam Dong Van Lam Lan Van Lam Lee Phenh Lam Qui Lam Sochen Lam Tai Lam Tihn Huu Jessie J Lambas, Sr Clarence Lander, III David A Landry Dennis J Landry Edward N Landry, Jr George Landry (2) James F Landry Jude C Landry Robert E Landry Ronald J Landry |

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| | | | Samuel J Landry, Jr Tracy Landry Daniel E Lane Lance Lapeyrouse Rosalie Lapeyrouse Tillman J Lapeyrouse James L LaRive, Jr Daniel LaRoche Lasseigne & Sons, Inc Betty & Jefferson Lasseigne Blake Lasseigne Floyd Lasseigne Frank Lasseigne Ivy Lasseigne, Jr Jefferson P Lasseigne, Jr Johnny J Lasseigne Marlene Lasseigne Nolan J Lasseigne Trent Lasseigne Chhiet Lat Charlotte A Latapie Jerry Latapie Joseph Latapie Joseph F Latapie, Sr Travis Latapie Crystal Latapie Craig J Latiolais Joel Latiolais Ho Thanh Lau James G Laughlin James M Laughlin Yvonne M Laurent Roger Lavergne Terrance Lawdros, Jr Michael A Layrisson, III Amanda Le An Van Le Ben Le Ben & Kim Le Binh T Le Cheo V Le Chinh Thanh Le Cu Thi Le Dai M Le Dale Le David Rung Le Du M Le |

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| | | | Due V Le Hien V Le Houston T Le Hung Le Jimmy & Hoang Le Khoa Le Ky Van Le Lang Van & Tracy Lan Chi Le Lisa T Le Loi Le My Le My V Le Nhieu T Le Nhut Hoang Le Nu Thi Le Phat Le & Le Tran Phuc Van Le Que V Le Robert Le Sau V Le Son Le (2) Son H Le Son Quoc Le Son Van Le Son Von Le Su Le Tam Le Tam V Le Thanh Huong Le Tong Minh Le Tony Le Tuan Nhu Le Viet Hoang Le Vui Le Andrew S Leaf Roland Leary LeBauve, Inc Thomas LeBeauf Donnie LeBlanc Edwin J LeBlanc Enoch P LeBlanc Gareth R LeBlanc, Jr Gareth LeBlanc, III Gerald E LeBlanc Hubert C LeBlanc Jerald LeBlanc Jesse LeBlanc, Jr |

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| | | | Keenon A LeBlanc Keenon H LeBlanc Lanvin J LeBlanc Luke A LeBlanc Marty J LeBlanc, Jr & Marty J LeBlanc Mickel J LeBlanc Robert LeBlanc Robert Patrick LeBlanc Scotty M LeBlanc Shelton LeBlanc Terry J LeBlanc Brent J LeBoeuf Edward J LeBoeuf Emery J LeBoeuf Joseph R LeBoeuf Dale LeBouef Ellis J LeBouef, Jr Jimmie LeBouef Leslie LeBouef Lindy J LeBouef Micheal J LeBouef Raymond LeBouef Tammy Y LeBouef Tommy J LeBouef Wiley LeBouef, Sr Stephen A LeBourgeois Alena & Jesse LeCompte, Jr Aubrey J LeCompte Etha LeCompte Jesse LeCompte, Sr Lyle LeCompte Patricia F LeCompte Todd LeCompte Troy A LeCompte, Sr Brad Ledet Bryan Ledet Carlton Ledet Charles J Ledet Jack A Ledet Kenneth A Ledet Mark Ledet Maxine B Ledet Mervin Ledet Phillip John Ledet Dennis Ledoux Joe J Ledwig Carl Lee |

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| | | | James K Lee Marilyn & Robert E Lee Otis M Lee, Jr Raymond C Lee Steven J Lee Roy J LeGaux, Jr Kerry Legendre Paul Legendre Andre Leger Alex M LeGros Debbie LeJeune Philip LeJeune, Jr & Philip LeJeune, Sr Eddie R LeJuine Allston B LeLand Rutledge B Leland, III Rutledge B Leland, Jr David LeLeaux Kevin Leleux Jeffery Lemoine, Jr Micheal A Leonard Rosalie Lepeyroose Leroy L Lepine Rudy Lessa, Jr Shawn Lester Dale T Levron Patrick T Levy James Kenneth Lewis, Sr dba FV Mary Ann Mark Steven Lewis Anthony R Libersat Kim Libersat Liberty I & St Vincent One B, Inc Donald L Lichenstien Douglas P Lilley Chhay Lim Koung Lim Tav Seng Lim Eric L Linden Claude T Liner, Jr Harold Liner Jerry Liner Kevin Liner Michael B Liner, Sr Morris T Liner, Jr Morris T & Tandy M Liner, Sr Pham Linh Alex J Lirette, Sr Bobby & Sherri Lirette |

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| | | | Chester P Lirette Daniel J Lirette Dean J Lirette Delvin J Lirette, Jr Desaine J Lirette Eugis P Lirette, Sr Guy Lirette Jeannie Lirette Kern A Lirette Ron Lirette Russell (Chico) Lirette, Jr Shaun Patrick Lirette Terry J Lirette, Sr Little Ernie Gulf Trawler, Inc William A Little William Boyd Little Niem S Liv Ernest J Livaudais Harry R Liverman Michael Anthony LoBue, Sr Dustin Locascio William T Lockhart Kerry Lodrigue Jimmy A Lodrique Joseph P Lombardo James A Lombas Kim D Lombas Robert Long Ronald S Longo, Jr Ryan Heath Longwater Celestino Lopez Harry N Lopez Ron Lopez Scott Lopez Stephen R Lopez, Jr Michael E Lord, Sr Louisiana Newpack Shrimp Co, Inc Louisiana Shrimp and Packing Co, Inc Louisiana Shrimp Association George Loupe, Jr Ted Loupe Billy Lovell Bobby Jason Lovell Bradford Lovell Charles J Lovell, Jr Clayton Lovell Douglas P Lovell |

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| | | | Jacob G Lovell Lois Lovell Slade M Lovell Low Country Lady (Randolph N Rhodes) Bernadette C & Rudolph J Luke David Luke Dustan Luke Henry Luke Jeremy Luke Keith J Luke Patrick A Luke Patrick J Luke Paul Leroy Luke Samantha Luke Sidney Luke, Jr Terry P Luke, Jr Terry P Luke, Sr Timothy Luke Wiltz J Luke Ora G Lund Ferrell J Luneau Thu X Luong Lydia Luscy Richard Luscy William A Lutz Binh Luu Vinh Luv Hen Ly Kelly D Ly Nu Ly Ven Ly Rosalie Lyall Lynda Riley, Inc Berton J Lyons Jack Lyons Jerome M Lyons M.V. Lerin Lane Marvin Mackey Kevin L Mackie Wayne A Maggio Edwin W Magwood Danny V & Lang V Mai Tai Mai Rubin J Maise Todd Maise Ernest J Majoue Nathan L Majoue |

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| | | | David Malcombe Irwin Ray Mallett Jimmie Mallett Lawrence J Mallett Mervin B Mallett Rainbow Mallett Stephney Mallett Ned F Malley, Jr Malolo LLC Mamacita, Inc Charles H Mamolo, Sr Romeo C Mamolo, Jr Terry A Mamolo Jesus Mancera Joseph R MaNoel Shon Manuel Chandarasy Mao Kim Mao Michelle Marcel Joe Marchese, Jr Marcos A Ansley Mareno Brent J Mareno Kenneth Mareno Mariah Lynn, Inc Allen J Marie Marty Marie Al Marmande Alidore Marmande Denise Marmande Heather Marquize Kip Marquizz Roy C Marris, Jr Darren & Wendy Martin Dean Martin Dennis Martin Jody W Martin John F Martin, III Michael A Martin Nora S Martin Rod J Martin Roland J Martin, Jr Russel J Martin, Sr Sharon Martin Tanna G Martin Carl R Martinez Henry Martinez |

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| | | | Henry Joseph Martinez Lupe Martinez Michael Martinez Rene J Martinez Mary Bea, Inc James Mason, Jr Johnnie W Mason Luther Mason Percy D Mason, Jr Master Mike, Inc Larry Matherne, Jr Forest J Matherne Anthony Matherne Blakland Matherne, Sr Bradley J Matherne Claude I Matherne, Jr Clifford P Matherne Curlis J Matherne George J Matherne Glenn A Matherne Grace L Matherne James C Matherne James J Matherne, Jr James J Matherne, Sr Joey A Matherne Keith Matherne Louis M Matherne, Sr Louis Michael Matherne Nelson Matherne Thomas G Matherne Thomas G Matherne, Jr Thomas M Matherne Thomas M Matherne, Sr Thomas Matherne, Jr Wesley J Matherne Patrick Mathews (2) Barry Mathurne Martin J Matte, Sr Mark D Mavar Lonies A Mayeux, Jr Roselyn P Mayeux Gary Mayfield Henry A Mayfield Henry A Mayfield, Sr James J Mayfield, III Allen J Mayon Wayne Mayon, Sr |

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| | | | Henry J McAnespy Louis McAnespy Marcus H McCall R Terry McCall, Sr Michael McCarthy Byron Keith & Katrina McCauley Robert R & Debra McClantoc Eugene Gardner McClellan Len McCormick Denny Carlton McCuiston Allan McDonald Harry J McElroy Merlin J McFarlain, Jr Dennis McGuinn James Richard McIntosh Michael D McIntyre John H McIver, Jr Roy McKendree Bobby E McKenzie Robert McKoin Robert F McKoin, Jr Jonathon S McLendon Robert McNab, Jr Don W McQuaig Oliver J McQuaig David P Medine Timmy J Melanco Brent K Melancon Neva Melancon Rickey Melancon Roland D Melancon & Roland T Melancon, Jr Sean P Melancon Terral J Melancon Ozimea J Melanson, III Raymond Joseph Melarine Angela Melerine Brandon T Melerine Claude A Melerine Claude A Melerine, Jr Dean J Melerine Eric W Melerine, Jr John D Melerine, Sr Linda C Melerine Daniel W Melford, Sr Nelvin Mello Randall J Pinnell Member Sophin Men |

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| | | | Wade E Menendez Dennis Menesses James H Menesses Louis Menesses Lionel A Menge Vincent J Menge Mer Shrimp, Inc Dempsey Mercy Harold A Merrick Kevin Merrick, Sr Darren Merritt, Sr Chase Messer Otis J Meyers Soeum Miarm Michael Lynn Steven D Michel Dan Middleton, Sr Henry Miguez Kevin L Miguez, Sr Ricky David Miles Joseph Militello David W & Rhonda E Miller Fletcher N Miller James A Miller Larry B Miller Mabry Allen Miller Mabry Allen Miller, Jr Michael E Miller Michele K Miller Randy A Miller Wayne Miller Leon B Millet Milliken & Son's Donnie Millington Ronnie Millington Moses Millis Raeford Millis Ralford Millis Timmie Lee Millis Derrick Mine Peter G Miner Phuc-Truong Minh Miss Alice, Inc Miss Ashleigh Miss Barbara Miss Bertha (M/V) & Kevin & Bryan (M/V) Miss Candace |

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| | | | Miss Candace Nicole, Inc Miss Carla Jean, Inc Miss Caroline, Inc Miss Carolyn Louise, Inc Miss Cleda Jo, Inc Miss Danielle Gulf Trawler, Inc Miss Gabrielle, Inc Miss Georgia, Inc Miss Hannah Miss Loraine Miss Luana D Shrimp Co Miss Marilyn Louise, Inc Miss Nicola Miss Rhianna, Inc Miss Sandra II Miss Savannah II Miss Suzanne Miss WillaDean Miss Yvette, Inc Ricky Allen Mitchell Todd Mitchell Francis C Mitchum G C Mixon Bryan A Mobley Jimmy Mobley, Sr Robertson Mobley Frank Mock, Sr Frankie E Mock, Jr Jesse R Mock, II Terry Mock Louis Frank Molero Louis Molero, III Al L Molinere Floyd Molinere Roland & Stacy Molinere, Jr Angela Moll Jerry J Moll, Jr Jonathan P Moll Julius J Moll Randall Moll, Jr Randall Mollere Mom & Dad, Inc Philip J Mones, Jr Tino Mones Guy D Moody Carl Stephen Moore Curtis L Moore |

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| | | | Kenneth Moore Richard Moore Willis Moore Nguyen Moot Anthony Morales Clinton A Morales Daniel Morales, Jr Daniel Morales, Sr David Morales Elwood J Morales, Jr Eugene J Morales, Jr Eugene J Morales, Sr Kimberly & Raul Morales Leonard L Morales Phil J Morales, Jr Scott Moran Allen J Moreau Berlin J & Mary Moreau, Sr Daniel R Moreau Hubert Moreau Rickey J Moreau, Sr Arthur B Morehead, Jr Ansley Moreno Harold R Morgan John Morici Herbert Eugene Morris Jesse A Morris Jesse A Morris, Sr Preston Morris Robert A Morton Keith M Morvant Patsy Lishman Morvant Chalam Moschetteiri Kevin R Moseley William L Mouille Ashton J Mouton Timothy Moverant Mr. Verdin, Inc Mark Mund Denis R Murphy Gary J Muth, Sr Joseph E Myers, Jr Tran Van Na Andrew Naccio Lance M Nacio Noel Nacio Philocles J Nacio, Sr |

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| | | | Nancy Joy Alton J Naquin Andrew J Naquin, Sr Antoine Naquin, Jr Autry James Naquin Bobby J & Sheila Naquin Christine & Milton H Naquin, IV Dean J Naquin Donna P Naquin Earl Naquin Earl L Naquin Freddie Naquin Gerald Naquin Henry Naquin Jerry Joseph Naquin, Jr Kenneth J Naquin, Jr Kenneth J Naquin, Sr Kenneth Naquin, Jr Linda L Naquin Lionel A Naquin, Jr Mark D Naquin, Jr Marty J Naquin, Sr Oliver A Naquin Robert Naquin Roy A Naquin Vernon Naquin Curtis J Navarre Emma & Floyd G Navero, Jr Craig A Neal Roy J Neal, Jr Bobby H Neely Raymond E Nehlig, Sr Dean Neil Jacob Neil Robert J Neil, Jr Deborah Nelson Elisha W Nelson Ernest R Nelson Faye Nelson Fred H Nelson, Sr Gordon Kent Nelson, Sr Gordon W Nelson, III Gordon W Nelson, Jr William O Nelson, Jr Aaron J Nelton, Jr Steven J Nelton Nevgulmarco Co, Inc |

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| | | | Ronald B Newell Thomas E Newsome Paul J Newton Dong Xuan Neyuh Hung V Ngo Liem Thanh Ngo The Ngo Truong Dinh Ngo Vu Hoang Ngo Thoi Ngu Amy Nguyen An Hoang Nguyen Andy Dung Nguyen Anh Nguyen Auyan Nguyen Ba Nguyen Bac Van Nguyen Bao Q Nguyen Bich Thao Nguyen (2) Bien Nguyen Binh Nguyen (3) Binh Cong Nguyen Binh V Nguyen Can Van Nguyen Cath V Nguyen Charlie Nguyen Chien Nguyen Chien Van Nguyen Chin Nguyen Chinh Van Nguyen Christian Nguyen Chung Nguyen Chung Van Nguyen Chuong Hoang Nguyen Chuong V Nguyen Chuyen Nguyen Coolly Dinh Nguyen Cuong Nguyen Dai Nguyen Dan Nguyen Dan Van Nguyen (2) Dang Nguyen Danny Nguyen De Van Nguyen Den Nguyen Diem Nguyen Dien Nguyen |

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| | | | Diep Nguyen Dinh Nguyen (2) Dong T Nguyen Dong X Nguyen Duc Nguyen Duc Van Nguyen Dung Nguyen Dung Ngoc Nguyen Duong V Nguyen Duong Xuan Nguyen Dvoc Nguyen Elizabeth Nguyen Gary Nguyen Giang T Nguyen Giau Van Nguyen Ha T Nguyen Ha Van Nguyen Hai Nguyen Hai Van Nguyen Han V Nguyen Hang Nguyen Hanh T Nguyen Harry H Nguyen Henri Hiep Nguyen Henry-Trang Nguyen Hien Nguyen Hiep Nguyen Ho V Nguyen Hoa Nguyen Hoa N Nguyen Hoang Nguyen (2) Hoi Nguyen Hung Nguyen (2) Hung M Nguyen Hung Van Nguyen Huu Nghia Nguyen Jackie Tin Nguyen James Nguyen Jennifer Nguyen Jimmy Nguyen (2) Joachim Nguyen Joe Nguyen John R Nguyen John V Nguyen Johnny Nguyen Joseph Minh Nguyen Kenny Hung Mong Nguyen |

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| | | | Khanh Nguyen Khanh & Viet Dinh Nguyen Khanh Q Nguyen Khiem Nguyen Kim Nguyen (2) Kinh V Nguyen Lai Nguyen (2) Lai Tan Nguyen Lam Van Nguyen Lang Nguyen (2) Lanh Nguyen Lap Van Nguyen Le Nguyen Lien Thi Nguyen Linda Oan Nguyen Linh Thi Nguyen Lintt Danny Nguyen Luu Nguyen Loc Nguyen Loi Nguyen (2) Long Phi Nguyen Long T Nguyen Long Viet Nguyen Luom T Nguyen Mai Van Nguyen Man Van Nguyen Mao-Van Nguyen Mary Nguyen Minh Nguyen (3) Minh Ngoc Nguyen Minh Van Nguyen (2) Mui Van Nguyen Mung T Nguyen My Le Thi Nguyen My Tan Nguyen My V Nguyen Nancy Nguyen Nghie Q Nguyen Nghia Nguyen Ngiti Nguyen Ngoc Tim Nguyen Ngoc Van Nguyen Nguyet Nguyen Nhi Nguyen Nuona Nguyen Nuong Nguyen Peter Nguyen |

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| | | | Peter V Nguyen Phe Nguyen Phong Ngoc Nguyen Phong T Nguyen Phong Xung Nguyen Phu Huu Nguyen Phuc Nguyen Phuoc H Nguyen Phuoc Van Nguyen Phuong Nguyen (2) Quang Nguyen Quang Dang Nguyen Quang Dinh Nguyen Quang Van Nguyen Quoc Van Nguyen Quyen Minh Nguyen Quyen Van Nguyen Quyenl Nguyen Ran T Nguyen Randon Nguyen Richard Nguyen Rick Nguyen Ricky Thinh Nguyen Sam Nguyen Sandy Ha Nguyen Sang Nguyen Sau V Nguyen Si Ngoc Nguyen Son Thanh Nguyen Son Van Nguyen Steven Giap Nguyen Tai Nguyen Tai The Nguyen Tai Thi Nguyen Tam Nguyen Tam Thanh Nguyen Tam V Nguyen Tam Van Nguyen Tdan Van Nguyen Ten Tan Nguyen Thach Nguyen Thang Nguyen (2) Thanh Nguyen (5) Thanh P Nguyen Thao Nguyen Thi Bich Hang Nguyen Thiet Nguyen |

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| | | | Tho Duke Nguyen Thoa Nguyen Thoa D Nguyen Thoa Thi Nguyen Thomas Nguyen Thu Duc Nguyen Thuong Van Nguyen Thuy Nguyen Thuyen Nguyen (2) Tinh Nguyen Tinh V Nguyen Toan Nguyen Toan Van Nguyen Tommy Nguyen Tony Nguyen Tony D Nguyen Tony Si Nguyen Tra Nguyen Tracy T Nguyen Tri D Nguyen Trich Nguyen Trich Van Nguyen Tu Van Nguyen Tuan Nguyen Tuan A Nguyen Tuan H Nguyen Tung Nguyen Tuyen Duc Nguyen Van H Nguyen Van Loi Nguyen Viet Nguyen (2) Viet Van Nguyen Vinh V & Vuong V Nguyen VT Nguyen Vu Minh Nguyen Vu T Nguyen Vu Xuan Nguyen Vui Nguyen Xuong Kim Nguyen Seri Nhon Steve Anna Nichols Gary Nicholson Leonard Nixon Earl Noble Timothy Normand Candace P Norris John A Norris |

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| | | | Kenneth L Norris Kevin Norris North Point Trawlers, Inc James E Nowell Phen Noy Conrad Nunez Jody Nunez Joseph Paul Nunez Randy Nunez Wade Joseph Nunez Dong Xuan Nynh Darryl Oberling Adam O'Blance Gary S O'Brien Mark O'Brien Michele O'Brien Ocean Select Seafood, LLC Ocean Springs Seafood Market, Inc Henry & Phyllis Oglesby Michael P O'Gwynn, Sr George J & Eva G Ohmer Hazel Olander Rodney Olander Roland J Olander Russell J Olander Thomas Olander Kevin Olano Owen J Olano Shelby F Olano Malcolm D Olds, Jr Wilfred J Olinde, Jr Carey O'Neil Brad R Oracoy Eugene Orage Het Orlando Robert F Oteri Faron P Oubre SokHoms K Ourks Larry E Owens Timothy Owens Thomas Pacaccio, Jr Kenneth J Padgett Roben Palimisano Gay Ann P Palmer John W Palmer Mack Palmer Daniel P Palmisano |

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| | | | Dwayne Palmisano, Jr Kim Palmisano Larry J Palmisano Leroy J Palmisano Robin G Palmisano Phuong Bui Pam Papa Rod, Inc Antoine C Parfait, Jr Jerry & Mary S Parfait, Sr John C Parfait Joshua K Parfait Olden G Parfait, Jr Robert C Parfait, Jr & Robert C Parfait, Sr Rodney Parfait Shelton J Parfait Timmy J Parfait Clyde A Parker Franklin L Parker Paul A Parker Percy Todd Parker Daniel Duane Parks Ellery Doyle Parks, Jr Joseph D Parrett, Jr Danny Parria Gavin C Parria, Sr Gillis Parria, Jr Gillis Parria, Sr Jerry D Parria Kip G Parria & Louis J Parria, Sr Lionel J Parria, Sr Louis Parria, III Louis Parria, Jr Michael Parria Ronald Parria Ross Parria Troy M Parris Walter L Parrish Penny Passmore Shane Pate Richard Paterbaugh Roger D Patingo Paul Piazza and Son, Inc Robert Emmett Paul John Payne Stuart Payne Pearl, Inc dba Indian Ridge Shrimp Co James Curtis Pelas |

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| | | | Corey P Pellegrin Curlynn Pellegrin James A Pellegrin, Jr Jordey Pellegrin Karl Pellegrin Karl J Pellegrin Randy Pellegrin, Sr Rodney J Pellegrin, Sr Samuel Pellegrin Troy Pellegrin Troy Pellegrin, Sr Randy Pelligrin Clyde Peltier Rodney J Peltier Bartolo Pena, Jr Israel Pena Gracie Pendarvis Elaine & Milton Pennison David P Percle Allen M Perez David J Perez David P Perez Derek Perez Edward Perez, Jr Henry Perez, Jr Joe B Perez Tilden A Perez, Jr Warren A Perez, Jr Warren A Perez, Sr Wesley Perez Dale Perrin David M Perrin Edward G Perrin, Sr Errol J Perrin, Jr Jerry J Perrin Kenneth V Perrin Kevin Perrin Kline J Perrin, Sr Kurt M Perrin Michael Perrin Michael A Perrin Murphy P Perrin Nelson C Perrin, Jr Pershing J Perrin, Jr Robert Perrin Tim J Perrin Tony Perrin |

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| | | | Nelian C Perrio, Jr William T Persohn Kirk Lynn Peshoff Alfred F Pete, Jr Alfred F Pete, Sr William A Pfleeeger An V Pham Anh My Pham Bob Pham Cho Pham Cindy Pham David Pham Dung Pham Dung Nick Pham Duong Van Pham Gai Pham Hai Hong Pham Hiep Pham Hung Pham Hung V Pham (2) Kannin Pham Nam V Phan Pham Nhung T Pham Osmond Pham Paul P Pham Phong-Thanh Pham Phung Pham Quoc V Pham Steve Ban Pham Thanh Pham Thinh Pham Thinh V Pham Tommy V Pham Ut Van Pham Anh Thi Phan Banh V Phan Con Van Phan Dan T Phan Hanh Van Phan Hoang Phan Johnny Phan Thong Phan Tien V Phan Toan Phan Lam Mau Phat John D Phelps Bruce Phillips |

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| | | | Danny D Phillips Gary Phillips Harry L Phillips James C Phillips, Jr Kristina W Phillips A W Phipps Khaolop Phonthaasa Phen Phorn Tran D Phuc Kathy Pickett Calvin Picou, Jr Gary M Picou Jennifer Picou Jerome J Picou Jordan J Picou Randy Picou Ricky Picou, Sr Terry Picou Aaron Pierce Dean Pierce Elwood Pierce Imogene Pierce Stanley Pierce Taffie Boone Pierce Ivy Pierre Joseph Pierre Joseph C Pierre, Jr Paul J Pierre Ronald J Pierre Jake Pierron Patsy H & Roger D Pierron Ernie A Pinell Harry J Pinell, Jr Jody Pinell Randall James Pinell Richard J Pinnell Robert Pinnell Benton J Pitre Carol Pitre Claude A Pitre, Sr Elrod Pitre Emily B Pitre Glenn P Pitre Herbert Pitre Jeannie Pitre Leo P Pitre Robert Pitre, Jr |

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| | | | Robin Pitre Ryan P Pitre Ted J Pitre Bonnie Pizani Craig Pizani Jane Pizani Terrill Pizani Terry M Pizani Terry M Pizani, Jr Arthur E Plaisance Burgess Plaisance Darren Plaisance Dean J Plaisance, Sr Dorothy B Plaisance Dwayne Plaisance Earl J Plaisance, Jr Errance H Plaisance Evans P Plaisance Eves A Plaisance, III Gideons Plaisance Gillis S Plaisance Henry A Plaisance, Jr Jacob Plaisance Jimmie J Plaisance Joyce Plaisance Keith Plaisance Ken G Plaisance Lawrence J Plaisance Lucien Plaisance, Jr Peter Plaisance, Jr & Peter A Plaisance, Sr Richard J Plaisance Russel P Plaisance Thomas Plaisance Thomas J Plaisance Wayne P Plaisance Whitney Plaisance, III Phan Plork Glenn J Poche, Jr Glenn Poche, Sr Gerald Pockrus Russell Poiencot, Jr Charles A Poillion Gerald Polito Gary Polkey Richard R Polkey, Jr Ronald Polkey Shawn Michael Polkey |

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| | | | Lionel J Pollet, Sr Ben Ponce Lewis B Ponce Raymond Poon Robert Pope Winford A Popham David M Poppell Ricky J Porche Port Royal Seafood, Inc Bobby & Penelope J Portier Chad Portier Corinne L Portier Robbie Portier Russel A Portier, Sr Hubert Edward Potter, Jr Robert D Potter Terry Wayne Pounds Clyde T Powers Dennis J Prejean Carl Price Curtis Price Edwin J Price Franklin J Price George J Price, Sr Norris J Price, Sr Steve J Price, Jr Timmy T Price Wade J Price Warren J Price Steve Prihoda Scott Primeaux Dixie J & James R Pritchard Claude J Prosperie, Jr Myron Prosperie Rollen Prout Sharonski K Prout Thou Prum Charles D Pugh, Jr Charles D Pugh, Sr Cody Pugh Deanna Pugh Donald Pugh Nickolas Pugh Alvin Punch, Jr Donald J Punch Todd M Punch Travis J Punch |

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| | | | Emil Purse George Puvis Joe Quach Dora M Quinn R & J, Inc Charles Racca Chip Racine Albert G Ragas Gene Ragas John D Ragas Jonathan Ragas Richard A Ragas Ronda S Ragas Lester B Ralph Alfred J Ramirez, Jr Sylvan P Racine, Jr (Cape Romain) Randall Pinell Inc John A Randazza, Jr Rick A Randazzo Stanley D Rando Randy Boy, Inc Ellis Gerald Ranko Dwayne Rapp Leroy & Sedonia Rapp John H Rawlings, Sr Ralph E Rawlings Leo Ray William C Ray, Jr Steven Earl Raynor Kelty O Reademour Roy Reagan Patrick W Reason Paul S Reaux, Sr Craig A Reaves Laten Reaves Paul J Rebery, Sr Steve M Rebert, Jr Charles Rebstock Lance Recter, Jr Warren L Recter Yvonne Redden Leoncea B Regnier Garland Remondet, Jr Lanny Renard Edward Reno George C Reno George H Reno |

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| | | | George T Reno Harry Reno Ben D Revell Reyes Trawlers, Inc Dwight D Reyes, Sr Marcello Reynon, Jr Randolph N Rhodes Christopher L Rhoto Frank A Ribardi Wanda Heafner Rich Irvin J Richaox, Jr Bruce J Richard David L Richard Edgar J Richard James Ray Richard Melissa Richard Randall K Richard James T Richardson Daniel E Richert Earl Richo, Sr Dudley D Richoux, Jr Larry & Judy Richoux Mary A Richoux Raymond A Riego Josiah B Riffle Randall R Rigaud Jeffrey B Riggs Jackie Riley, Sr Raymond Riley Anthony J Rinkus, III Amado Rios Norris M Ripp Dan S Robert Michael A Roberts Kevin Robertson Richard S Robeson, Jr Craig J Robichaux Alvin G Robin Cary Joseph Robin Charles R Robin, III Danny J Robin Donald Robin Floyd A Robin Kenneth J Robin, Sr Ricky R Robin Johnson P Robinson, III Walter Robinson |

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| | | | Clay Roccaforte Dominick R & Rhonda Rodi Brent J Rodrigue Carrol Rodrigue, Sr Glenn & Sonya Rodrigue Lerlene Rodrigue Reggie Rodrigue, Sr Wayne Rodrigue Barry Rodriguez Gregory Rodriguez Jesus Rodriguez Orn Roem Barry David Rogers Chad Rogers Chad M Rogers Kevin Rogers Nathan J Rogers Carlton J Rojas, Sr Curtis Rojas, Sr Dennis J Rojas, Sr Gordon V Rojas Kerry D Rojas Kerry D Rojas, Jr Randy Rojas, Sr Raymond J Rojas, Jr Brad Roland Mathias C Roland Vincent Roland Theresa Rollins Wayne A Rollo Victor J Rome, IV D H Romero Kardel J Romero Norman Romero Philip J Romero Romo, Inc Glenn Ronquille Norman C Ronquille Earl Ronquillo Richard J Ronquillo Timothy Ronquillo Rosa Marie, Inc Charles R Roseburrough, Jr Dorothy Ross Edward Danny Ross, Jr Leo L Ross Robert A Ross |

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| | | | Joseph F Roth, Jr Joseph M Roth, Jr Carolyn Rotolo Feliz Rotolol Jimmy Rouse Michael D Roussel, Jr Henry Lee Roy, Jr Chad A Rudolph Donald W Ruiz James L Ruiz Paul E Ruiz Paul R Ruiz Bentley R Russell Casey Russell Daniel Russell James Russell, III Michael J Russell Nicholas M Russell Paul Russell Kenneth Rustick Adrian K Ruttley Ernest T Ruttley, Jr J T Ruttley James C Ryan, Sr Rhebb Rybiski Luther V Ryder Sabrina Marie, Inc Stewart Sadler Everett Sagnes Amanda K Saha Salina Cruz, Inc Don M Saling Sue A & Preston J Saltalamachia Lawrence Salvato, Jr Samaira, Inc Caroll J Samanie Frank J Samanie Don Samsome San Dia Malcolm H Sanabe Troy P Sanamo Augustine Sanchez Jeffery A Sanchez Juan Sanchez Robert A Sanchez William Shannon Sanders Sandra G, Inc |

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| | | | R J Sandras R J Sandras, Jr Roy R Sandrock, III Santa Maria, Inc Lindberg W Santini, Jr James Santiny Patrick Santiny Caroll J Sapia, Jr Eddie J Sapia, Jr Willard Sapia Michael Rance Saturday Tran Sau Carlton J Sauce Joseph C Sauce, Jr Houston J Saucier Russell Sauls Malcolm H Savage Raymond Savant Allen Savoie Brent T Savoie James Savoie Merlin F Savoie, Jr Reginald M Savoie, II Gerald Sawyer Rodney Sawyer Clifford Scarabin Michael J Scarabin Kelly Schaffer Curry A Schanbhut Lester B Schelling, Jr Michael Schexnaydre Robert Schirner, Jr Joseph J Schjatt, Sr Henry Schlindwein Paul A Schmit, Jr Paul A Schmit, Sr Victor J Schmit, Jr Ellis J Schouest, III Ellis Schouest, Jr Juston Schouest Mark Schouest Noel Schouest Robert H Schrimpf, Jr Sidney Schultz Troy A Schultz Arron J Scott Audie B Scott |

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| | | | James E Scott, III Milford P Scott Paul Scott Sea Eagle Fisheries, Inc Sea Pearl Seafood Company, Inc Seabrook Seafood, Inc Terry G Seabrook Garry Seaman Greg Seaman Ollie L Seaman, Jr Ollie L Seaman, Sr Meng Seang Robert Craig Sehon S George Sekul Morris G Sekull Charles Sellers Issac Charles Sellers Sopphen Seng Adam R Serigne Elizabeth Serigne James J Serigne, III Kimmie J Serigne Lisa M Serigne Neil Serigne O'Neil N Serigne Richard J Serigne, Sr Rickey N Serigne Ronald Raymond Serigne Ronald Roch Serigne Ross Serigne Gail Serigny Wayne A Serigny Lenny Serpas, Jr William O Sessions, III William O Sessions, Jr Michael D Sevel Carl Sevin Earline Sevin Janell A Sevin Joey Sevin Nac J Sevin O'Neil J Sevin Phillip T Sevin Shane Sevin Shane Anthony Sevin Stanley J Sevin Symantha A Sevin |

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| | | | Willis Sevin Janet A Seymour David M Shackelford Curtis E Shaffer Glynnon D Shaffer Danielle A Shay Jason Shilling L E Shilling Robert L Shugars Randy Shutt Sidney Fisheries, Inc Curtis Silver, Jr Curnis Simon John Simon Leo Simon Mark Simpson Donald L Sims Alan Singley Charlie E Singley, Sr Glenn Singley Robert Joseph Singley Jace Sirgo Walter Sisung Walter Sisung, Jr Gary M Skinner, Sr Richard Skinner Skip Toomer, Inc Malcom W Skipper Martin J Skrmetta Skyla Marie Inc Brian H Smelker Brian Smith Carl R Smith, Jr Clark W Smith Danny Smith Danny M Smith, Jr Donna Smith Elmer T Smith, Jr James E Smith Margie T Smith Mark A Smith Nancy F Smith Raymond C Smith, Sr Tim Smith Walter M Smith, Jr William T Smith Ted W Smithwick |

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| | | | Bill Smoak William W Smoak, III Erick Snell Snodgrass Phat Soeung John C Soileau, Sr Kheng Sok Nhip Sok Darren Solet Donald M Solet Joseph R Solet Raymond Solet Kim Son Sam Nang Son Samay Son Thuong Cong Son Daniel Soprano William Sork Louis Soudelier, Jr Shannon Soudelier Yem Kim Sour South Carolina Shrimpers Association Barbara Kay Spier Jeffrey B Spell Mark A Spell Joel F Spellmeyers, Sr Casey Spencer Donald A Spiers Avery M Sprinkle Emery S Sprinkle Joseph Sprinkle Kenneth J Squarsich Siphon Sreiy Dana A St. Amant Mr & Mrs Jerome K St. Ann Darren St. Pierre Scott A St. Pierre Patrick Staves Chad Stechmann Karl J Stechmann Todd Stechmann Arnold D Steele, Jr Henry H Steele, III Carl L. Steen James D Steen Kathy G Steen Norris J Stein, Jr |

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| | | | Stella Mestre, Inc Adlar Stelly Carl A Stelly Chad P Stelly Delores Stelly Sandrus Stelly, Jr Sandrus Stelly, Sr Toby J Stelly Veronica G Stelly Warren Stelly Louis Stephenson Alvin Stevens Curtis D Stevens Glenda Stevens Chester Stewart, Jr Derek Stewart Fred Stewart Jason F Stewart Ronald G Stewart William C Stewart Derald Stewart Thanh Stiffler Lawrence L Stipelcovich Todd J Stipelcovich Brenda Stockfett Todd Stokes Pamela Stone-Rinkus Ken Strickland Rita G Strickland James V Stuart Rex E Stutes Billy W Suiak Hong Sreng Sun Donald D Surmik Patrick Sutton Swamp Irish, Inc Keith Swindell Dennis A Sylve James L Sylve Nathan Sylve Scott Sylve Paul Sylvesr Ba Van Ta Chris Ta Yen Ta Calvin Tabb Andrew Taliacich |

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| | | | Ivan & Srecka Taliachich Joseph M Taliachich Ho Dung Tan Hung Tan Lan T Tan Thanh Tang Robert Charles Tanner Tanya Lea, Inc Raymond Taravella Alton J Tassin Keith P Tassin Archie P Tate Terrell Tate Kevin M Tauzier Doyle L Taylor Herman R Taylor Herman R Taylor, Jr J P Taylor, Jr John C Taylor Leander J Taylor, Sr Leo Taylor, Jr Nathan L Taylor Robert L Taylor Robert M Taylor Phal Teap Heng Tek Paul Templat John L Terluin, III A Scott Terrebonne Alphonse J Terrebonne Alton S Terrebonne, Jr Alton S Terrebonne, Sr Carol Terrebonne Carroll Terrebonne Chad Terrebonne, Sr Daniel J Terrebonne Donavon Terrebonne Gary J Terrebonne Jimmy Terrebonne, Jr Jimmy Terrebonne, Sr Kline A Terrebonne Lanny Terrebonne Larry F Terrebonne, Jr Scott Terrebonne Steven Terrebonne Toby J Terrebonne Chad J Terrel, Sr |

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| | | | C Todd Terrell Brandon James Terrio Harvey J Terrio, Jr Terry Luke Corp Terry Lynn, Inc Eloise Terry Kuzma D Tesvich Texas Pack, Inc Tex-Mex Cold Storage, Inc Phuong Thach Paul Thai Thomas Thai Anthony Theriot Carroll A Theriot, Jr Clay J Theriot, Jr Craig A Theriot Dean P Theriot Donnie Theriot Jeffrey C Theriot Larry J Theriot Lynn Theriot Mark A Theriot Wanda J Theriot Bart James Thibodeaux Brian A Thibodeaux Brian M Thibodeaux Calvin A Thibodeaux, Jr Fay F Thibodeaux Glenn P Thibodeaux Jared Thibodeaux Jeffrey Thibodeaux Jonathan Thibodeaux Josephine Thibodeaux Keith Thibodeaux Tony J Thibodeaux Warren J Thibodeaux Tran Thiet Thomas G, Inc Alvin Thomas Brent Thomas Dally S Thomas Janie G Thomas John Richard Thomas Kenneth Ward Thomas Monica P Thomas Ralph L Thomas, Jr Randall Thomas |

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| | | | Robert W Thomas Willard N Thomas, Jr Gerard Thomassie Nathan A Thomassie Philip A Thomassie Ronald Thomassie Tracy J Thomassie David Thompson Edwin A Thompson George Thompson James D Thompson, Jr James Thompson, Jr John E Thompson John R Thompson Randall Thompson Shawn Thompson Thong John J Thonn, Jr Victor J Thonn Robert Lee Thorpe, Jr Three Sons, Inc Charles E Thurman Tidelands Seafood Co, Inc Thanh Tiet Tiffani Claire, Inc Tikede, Inc Gene E Tilghman Billy Carl Tillett Lewis A Tillman, Jr Timothy P & Yvonne M Tillman Pat Tillotson Mark A Tinney Georgia W Tisdale Oscar Tiser Thomas C Tiser, Jr Thomas C Tiser, Sr Du Van To Fred Noel Todd Rebecca G Todd Robert C Todd Vonnice Frank Todd, Jr Gerald Tompkins, II George Toney, Jr Hai V Tong Linh C Tony Tonya Jane, Inc Christina Abbott & William Kemp Toomer |

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| | | | Christy Toomer Frank G Toomer, Jr Jeffrey E Toomer Kenneth Toomer Lamar K Toomer Larry C & Tina Toomer David P Torrible Jason Torrible Anthony H Touchard John B Touchard, Jr Paul V Touchard, Jr Eldridge Touchet, III & Eldridge Touchet, Jr Anthony G Toups Bryan Toups George A Toups Jeff Toups Jimmie J Toups Kim Toups Manuel Toups Ted Toups Tommy Toups James Toureau Melvin H Tower Harmon Lynn & Marion Brooks Townsend Hop T Tra Nguyen Tra James D Trabeau Allen A Trahan, Jr Alvin Trahan, Jr Druby Trahan Dudley Trahan Elie J Trahan Eric J Trahan James Trahan Karen C Trahan Lynn P Trahan, Sr Ricky Trahan Ronald J Trahan Tracey L Trahan Wayne Paul Trahan Allen Hai Tran Andana Trana Anh Tran (2) Anh N Tran Bay V Tran Binh Tran Ca Van Tran |

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| | | | Cam Van Tran Chau Van Tran Chi T Tran Chu V Tran Cuong Tran Den Tran Dien Tran Dinh Tran Dinh M Tran Duoc Tran (2) Duong Tran Eric Tran Francis Tran Giang Tran Giao Tran Hien H Tran Hiep Tran Hiep Phuoc Tran Hieu Tran Hoa Tran (2) Hue T Tran Huey Tran Hung Tran Hung (Eric) Tran Hung P Tran Hun Viet Tran John Tran Johnny Dinh Tran Joseph Tran Joseph T Tran Khan Van Tran Khanh Tran Kim Chi Thi Tran Lan Tina Tran Leo Van Tran Loan Tran Long Tran Long Van Tran Luu Van Tran Ly Tran Ly Van Tran Mary Tran Mien Tran Mike Tran Minh Huu Tran My T Tran Ngoc Tran |

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| | | | Nhieu Van Tran Nho Tran Phuc V Tran Phung Tran Quan Van Tran Quang Quang Tran Quang T Tran Qui V Tran Ran Van Tran Sarah T Tran Sau Tran Son Tran (2) Steven Tuan Tran Te V Tran Than Tran Thanh Tran Theresa Tran Thi Tran Thich Van Tran Thien Tran Thien Van Tran Tri Than Trung Tran Trung Van Tran Tuan Tran Tuan Minh Tran Tuong Van Tran Tuyet Thi Tran Van T Tran Vinh Tran Vinh Q Tran (2) Vui Kim Tran James Tranan Tommy Trapp Trawler Master Alston Trawler Raindear Partnership Trawler Wylie Milam Michael Treadaway Curtis Tregle William Paul Trehoan Gary J Treuil Manuel Trevino E H Buddy Treybig, Jr Donald G Triche Hung Hoa Triea Jackie & Hiep Trieu Jasmine & Ly Trieu |

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| | | | Lorie Trieu Tam Trieu Christopher B Trinh Philip P Trinh Triple T Enterprises, Inc Clark K Trosclair Clark P Trosclair Eugene P Trosclair James J Trosclair Jerome Trosclair Joseph & Patricia Trosclair Lori Trosclair Louis V Trosclair Patricia Trosclair Randy Trosclair Ricky Trosclair Wallace Trosclair, Sr True World Foods, Inc Andre Truong Andre U Truong Be Van Truong Dac Truong Kim & Benjamin Truong Steve Truong Tham T Truong Thanh Minh Truong Timmy Truong George W Trutt, Sr Wanda Trutt Nguyen Q Tuan Huan Tuong Mervin A Turtich Calvin L Turner Tyler James John Tyre Ultima Cruz, Inc Terry R Upton Vi V Do Eddie James Vaisin J G Valentino, Jr James Valentino Christopher A & Nancy H Vallot Hugh P Valure Thien Van Do Jean T Van Gordstnoven Tung Van Huynh Lo Van Ngo |

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| | | | Dung Van Nguyen Irving Van Nguyen Nho Van Nguyen Roe Van Nguyen Thanh Van Nguyen Trung Van Nguyen Vang Van Nguyen Thai Van Pham Tu Van Phan Ba Van Ta Hung Van Tran Miel Van Tran Nhanh Van Tran Phu Van Tran Nhut Van Truong Them Van Truong Hai Van Vo Cang To Van Long Van Nguyen Day Van Than Van Tran Phu Van Vui Van Kathy D & Malcolm Vanacor Bobbie Vanicor Matthew T VanMeter William Earl VanMeter Ba Van-Ta Randy L Varney Raymond S Vath William E Veasel, III Brien J Vegas Percy J Vegas Terry J Vegas Terry J Vegas, Jr Terry Vegas, Jr Peter Vela Aaron Verdin Av Verdin Bradley J Verdin Brent A Verdin Charles A Verdin Charles E Verdin Coy P Verdin Curtis A Verdin, Jr Delphine & Jeffrey Verdin Diana & Joseph Verdin |

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| | | | Ebro W Verdin Eric P Verdin Ernest Joseph Verdin, Sr Jeff C Verdin Jessie J Verdin John P Verdin Joseph A Verdin, Jr Joseph Cleveland Verdin Joseph S Verdin Justilien G Verdin Matthew W Verdin, Sr Michel A Verdin Paul E Verdin Perry Anthony Verdin Rodney Verdin Rodney P Verdin (2) Skylar Verdin Timmie Verdin Toby Verdin Tommy P Verdin Tony J Verdin Vincent Verdin Viness Verdin, Jr Wallace P Verdin Webb A Verdin Wesley D Verdin, Sr Jimmy R Verdine Joseph Thomas Vermeulen Darren L Verret Donald J Verret Ernest J Verret, Sr James A Verret Jean E Verret Jimmy J Verret, Sr Johnny R Verret Joseph L Verret Paul L Verret Ronald P Verret Joseph A Versagg Versaggi Shrimp Corp Brent J Vicknair, Sr Duane P Vicknair Henry Dale Vicknair Ricky A Vicknair Corey Vidrine Kathi & Bill Vidrine Richard Vidrine |

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| | | | Vietnamese-American Commerical Fisherman's Union William F Vila Villers Seafood Co, Inc Vincent Piazza Jr & Sons Seafood, Inc Gage T Vincent Gene Vincent Gene B Vincent Robert N Vincent Charles E Vise, III Barry A Vizier Christopher Vizier Cloris J Vizier, III Douglas M Vizier Tommie Vizier, Jr Anh M Vo Chin Van Vo Dam Vo Dan M Vo Dany Vo Day V Vo Duong V Vo Dustin Vo Hanh Xuan Vo Hien Van Vo Hoang The Vo Hong Vo Hung Thanh Vo Huy K Vo Johnny Vo Kent Vo (2) Man Vo Mark Van Vo Minh Hung Vo Minh Ngoc Vo Minh Ray Vo Mong V Vo My Dung Thi Vo My Lynn Vo Nga Vo Nhon Tai Vo Quang Minh Vo Sang M Vo Sanh M Vo Song V Vo TA Vo Tan Thanh Vo Thanh Van Vo |

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| | | | Tom Vo Tong Ba Vo Trao Van Vo Truong Vo Van Vo Van Van Vo Benjamin S Vodopija James L Vogt Eddie J Voisin Jamie Voison Harold L Von Harten Richard Vongrith Kirk Vossler Hung Vu John H Vu Khanh Vu Khanh H Vu Quan Quac Vu Sac Vu Sean Vu Tam Vu Thiem Ngoc Vu Thuy Vu Tom Vu Tu Viet Vu W H Blanchard, Inc W L & O, Inc Calvin J Wade, Jr Gerard Wade David M Waguespack, Sr Randy P Waguespack, II Vernon Wainwright Jerry Walker Rogers H Walker Dennis Wallace Edward Wallace John Wallace Trevis L Wallace Jack Waller, Jr John M Waller Craig A Wallis Keith Wallis Samuel G Walters Marion M Walton Edward Joseph Wannage Fred Wannage, Jr Frederick W Wannage, Sr |

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| | | | Clarence Ward, Jr Clifford Washington John Emile Washington, III Kevin Washington Louis N Washington Cecil K Wattigney, Jr Michael Wattigney Brandon A Watts Warren Watts Waymaker, Inc We Three, Inc Bobby Webb Bobby N Webb Donald Webre Dudley A Webre Harold Webster Webster's Inc Don Franklin Weeks Weems Bros Seafood Co Laddie E Weems Barry C Weinstein Rodney Weiskopf Todd Weiskopf Amos J Welch Douglas E Wells Stephen Ray Wells Steven W Wendling Charles W Wescovich Wesley Daryl Wescovich West Point Trawlers, Inc William J Whatley David L Whit Allen White, Sr Charles White Gary Farrell White James Hugh White Perry J White Raymond White Robert White, Sr John Wicher Chad M Wiggins, Sr Ernest Wiggins Harry L Wiggins Matthew Wiggins Gerald Anthony Wilbur Robert Wilcox Alfred Adam Wiles |

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| | | | Glen Gilbert Wiles Sonny Joel Wiles, Sr Gene D & Judith Wilkerson William Riley Wilkinson William E Smith Jr., Inc Allen Williams, Jr Andrew Williams B Dean Williams Clyde L Williams Dale A Williams Emmett J Williams Herman J Williams, Jr J T Williams John A Williams Johnny Paul Williams Joseph H Williams Kirk Williams Leopold A Williams Mark A Williams Mary Ann C & Ronnie Williams Melissa A Williams Nina Williams Parish Williams Roberto Williams Scott A Williams Steven Williams Thomas D Williams Richard L Williamson, Sr Derek C Willyard Donald R Willyard Alward Wilson Hosea Wilson Joe R Wilson Jonathan Wilson Katherine Wilson Allen Wiltz Melvin Wing Allen Wiseman Clarence J Wiseman, Jr Jean Wiseman Joseph A Wiseman Michael T Wiseman, Jr Michael T Wiseman, Sr (2) Charles Wolfe Woods Fisheries, Inc Curtis Wright Leonard Wright |

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| | | | Randy D Wright Douglas Yeamans Neil Yeamans Ronnie Yeamans Peon Yoeuth Harold Yopp Milton Thomas Yopp James Young Taing Young Willie Young Patricia D Yow Richard C Yow Anthony V Zanca, Sr Ashley A Zar Carl J Zar John Zar, III Steve Zar Steven Zar Troy A Zar John S Zerinque, Jr Zirlott Trawlers, Inc Curtis Zirlott, Jr Jason D Zirlott Jeremy Zirlott Kimberly & Jeremy Zirlott Milton Zirlott Perry Zirlott Rosa H Zirlott Brian C Zito Nguyen Q Zuan Michael A Zuvich, Jr |
| A-331-802 | 731-TA-1065 | Certain Frozen or Canned Warmwater Shrimp and Prawns/Ecuador | A. J. Horizon, Inc Al J Abadie Anthony Abadie Charles Abner Steven Abraham Ace of Trade, LLC Dale J Ackerman Darryl L Acosta Jerry J Acosta, Sr Leonard C Acosta Wilson Acosta, Sr Ad Hoc Shrimp Trade Action Committee Denise T Adam Michael A Adam Richard B Adam, Jr Sherry P Adam |

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| | | | William E Adam Alcide J Adams, Jr Dudley Adams Elizabeth Adams Ervin Adams George E Adams Hursy J Adams James Arthur Adams Kelly Adams Lawrence J Adams, Jr Randy Adams Ritchie Adams Steven A Adams Ted J Adams Tim Adams Whitney P Adams, Jr Ralph Agoff Ricardo Aguilar Roddy G Aguillard Don Ray Alario Nat Alario Pete J Alario Timmy Alario Craig J Albert Junior J Albert Aldebran, Inc Everett O Alexander Benny J Alexie Corkey A Alexie Dolphy Alexie Felix Alexie, Jr Gwendolyn Alexie John J Alexie John V Alexie Larry J Alexie, Sr Larry Alexie, Jr Vincent L Alexie, Jr Barry S Alexis Craig W Alexis Michael & Monique Alexis Anthony E Alfonso, Jr Jesse Alfonso Nicholas Alfonso Paul A Alfonso Randy Alfonso Terry S Alfonso, Jr Vernon Alfonso, Jr |

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| | | | Yvette Alfonso Angelo A Alimia, Jr Dean J Allemand Annie Allen Carolyn Sue Allen Jackie & Robin Allen Wayne Allen Wilbur L Allen Willie J Allen, III Willie Allen, Sr John Alphonso Alysia Renee, Inc Leo J Ancalade Claudene Ancar Jerry T Ancar Joe C Ancar Menlin Ancar, Sr William Ancar, Sr Gerald Ray Ancelet Andrew D Anderson Ernest W Anderson Jerry Anderson John Anderson Lynwood Anderson Melinda Rene Anderson Michael Brian Anderson Ronald L Anderson, Jr Ronald L Anderson, Sr Ronnie Anderson, Jr Miguel Andonie Anthony R Andrews Janice M Andry Rodney S Andry Angel Seafood, Inc Angela Marie, Inc Louis Angelle Eugene Anglada, Sr Anna Grace LLC Annie Thornton, Inc Lester Ansardi Darren Anselmi Apalachee Girl, Inc Aparicio Trawlers Inc dba Marcosa Georgia P Arabie Joseph Arabie Craig J Arcement Donald Arcement, Sr |

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| | | | Lester C Arcement Mathew J Arceneaux Michael K Arceneaux Christopher J Areas John Armbruster, III Paula D Armbruster Jude Armstrong, Jr George Arnesen Lonnie L Arnold, Jr Joseph T Arnona Robert Arnondin Floyd Assavedo Gregory Kenneth Atwood Kenny Atwood Dewey F Aucoin Earl Aucoin Laine A Aucoin Perry J Aucoin Dennis Austin Dennis J Austin Brice Authement Craig L Authement Dion J Authement Dion S Authement Gordon Authement Lance M Authement Larry Authement Larry Authement, Sr Roger J Authement Sterling P Authement Bobby Autin Bruce J Autin Kenneth D Autin Marvin J Autin Paul F Autin, Jr Roy Autin Albert J Avenel, Jr Conny Babb Brad Babin Joey L Babin Klint Babin Kirby Babineaux Vicki Babineaux Ke Van Bach Reo Long Bach Benny Backman Todd Badeaux |

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| | | | Dewayne Baham Albert Bailey Antoine Bailey, III David B Bailey, Sr Don Bailey Clarence Baker Donald Earl Baker James Baker Kenneth Baker Antonio Balderas Richard Prentiss Baldwin Albert Ballard Barbara A Ballas Charles J Ballas John F Baltz Bama Sea Products, Inc John Ban Bruce K Bang Barbara Brooks, Inc Joe W Barbaree Mark A Barbe Louie W Barber, Sr Percy T Barbier Raymond A Barbour James E Bargainear George A Barisich Barisich, Inc Joseph J Barisich Nathan Barnhill Clarence Barrios (2) Corbert J Barrios Corbert M Barrios David Barrios John Barrios Shane James Barrios Angela Gail Barrois Dana A Barrois Tracy James Barrois Wendell Jude Barrois, Jr Keith Barthe, Sr Allen M Barthelemy John A Barthelemy Rene T Barthelemy, Sr Walter A Barthelemy, Jr Mitchell Bartholomew Neil W Bartholomew Thomas E Bartholomew |

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| | | | Wanda C Bartholomew Donald J Basse, Sr Mark Bates Ted Bates, Jr Vernan Bates, Jr Louis Battle Drake J Baudoin Murphy A Baudoin Stephen Baudouin Gary Bauer Glen P Baye Bayou Shrimp Processors, Inc Charles A Bean Glenn J Becnel Kent Becnel Carol F Beecher Ronald Beechler James E Bell Ronald A Bell Arnold Bellanger Clifton Bellanger Scott J Bellanger Derrell M Belsome Karl M Belsome Gary Lynn Bennett James W Bennett, Jr Louis Bennett Francis Benoit Nicholas L Benoit Paula T & Tenna J Benoit, Jr Walter T Benton Ray W Berger Alfred S Bergeron Jeff Bergeron Nolan A Bergeron Ulysses J Bergeron Lamont L Bernard Mark J Berner Gerard J Berthelot, Sr James Berthelot Myron J Berthelot Jerl C Bertrand Best Sea-Pack of Texas, Inc Beth Lomonte, Inc Keith J Beverung Raymond W Bianchini Leo E Bickham |

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| | | | Charles Bienvenu Big Grapes, Inc Jerry W Biggs, Sr Richard Billington Alfredia Billiot Arthur Billiot Aubrey & Betty Billiot Barell J Billiot Brian K Billiot Cassidy Billiot Charles Billiot, Sr Chris J Billiot, Sr E J E Billiot Earl W Billiot, Sr Ecton L Billiot Emary Billiot Forest Billiot, Jr Gerald Billiot Harold J Billiot Jacco A Billiot Jake A Billiot James Billiot, Jr Joseph S Billiot, Jr Laurence V Billiot Leonard F Billiot, Jr Lisa Billiot Mary L Billiot Paul J Billiot, Sr Shirley L Billiot Steve M Billiot Thomas Adam Billiot Thomas Billiot, Sr Wenceslaus Billiot, Jr Alexander J Billiott Yale Biron William C Black Larry E Blackston Albert Blanchard Andrew J Blanchard Billy J Blanchard Cyrus Blanchard Daniel A Blanchard Dean Blanchard Douglas Blanchard, Jr Dwayne Blanchard Elgin Blanchard Gilbert Blanchard |

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| | | | <p>Jade Blanchard John F Blanchard, Jr Katie Blanchard Matt Joseph Blanchard Michael Blanchard Quentin T Blanchard Quentin Timothy Blanchard Roger Blanchard, Sr Quyen Bland Roy A Blouin Jack Blume, Jr Raymond Blunet, Sr Arturo Bodden Jasper Bodden Darren W Bolotte Larry F Bolton Bon Secour Boats, Inc Bon Secour Fisheries, Inc Paul J Bondi Jimmy J Bonvillain Donna M Bonvillian Clifton Felix Boone Donald F (Ricky) Boone, III Donald F Boone, II Gregory T Boone Noriss P Boquet, Jr Wilfred Boquet, Jr Glenn Bordelon, Sr James P Bordelon Shelby P Bordelon Benny Borden Crystal & Edward Borne Dina L Borne Edward Borne, Jr Edward Borne, Sr Hubert L Bosarge Robert Bosarge Durel A Boudlauch, Jr Larry Terrell Boudoin Nathan Boudoin Brent J Boudreaux Elvin J Boudreaux, III James C Boudreaux, Jr James N Boudreaux Jessie Boudreaux Leroy A Boudreaux Mark Boudreaux</p> |

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| | | | Paul Boudreaux, Sr Richard D Boudreaux Ronald Boudreaux, Sr Sally Boudreaux Veronica Boudreaux Dwayne Boudwin Jewel James Boudwin, Sr Wayne Boudwin Norman Bouise Irwin J Bouiet, Jr Debra Boullion Allen T Bourg Benny Bourg Chad J Bourg Channon Bourg Chris Bourg Douglas Bourg Glenn A Bourg Jearmie Bourg, Sr Kent A Bourg Mark Bourg Nolan P Bourg Ricky J Bourg Albert P Bourgeois Brian J Bourgeois, Jr Daniel Bourgeois Dwayne Bourgeois Jake Bourgeois Johnny M Bourgeois Johnny M Bourgeois, Jr Leon A Bourgeois Louis A Bourgeois Merrie E Bourgeois Randy P Bourgeois Reed Bourgeois Webley Bourgeois Chris Bourn Murphy Paul Bourque Ray Bourque Duvic Bousegard, Jr Manuel J Boutte, Jr Colbert A Bouvier, II Dale J Bouzigard Edgar J Bouzigard, III Eeris Bouzigard Harold Bowers Tommy Bowers |

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| | | | Danny Boy David E Boyd, Sr Elbert Boyd Darren L Boykin Thomas C Boykin James Bradley Brian Brady Kay Brandhurst Ray E Brandhurst, Sr David G Braneff William P Brannan Donald James Branom, Jr James M Braud Frank J Brazan Irvin F Breaud, Jr Barbara & Shelby Breaux Brian J Breaux Charlie M Breaux Clifford Breaux Colin E Breaux Daniel Breaux, Jr Larry J Breaux Robert J Breaux, Jr Robert F Briscoe, Jr L D Britsch, Jr Dwayne E Broussard Eric Broussard Keith Broussard Larry Broussard Mark A Broussard Roger David Broussard Roger R Broussard Steve P Broussard Cindy B Brown Colleen Brown Donald G Brown John W Brown Paul R Brown Toby H Brown Adam J Bruce Bob R Bruce Daniel M Bruce, Sr Emelda L Bruce Gary J Bruce, Sr James P Bruce Lester J Bruce, Jr Margie L Bruce |

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| | | | Mary P Bruce Nathan Bruce Robert Bruce Russell Bruce Peter Brudnock, Sr Elton J Brunet Joseph Brunet Joseph A Brunet Levy J Brunet, Jr Bryan Fishermens' Co-op, Inc David N Bryan Ina Fay V Bryant Jack D Bryant, Sr James L Bryant Bubba Daniels, Inc Ernest Buford Ben Bui Dich Bui Dung Thi Bui Huong T Bui Ngan Bui Nhuan Bui Nuoi Van Bui Tai Bui Tieu Bui Tommy Bui Bumble Bee Seafoods, LLC Belvina (Kenneth) Bundy Kenneth Bundy, Sr Nicky Bundy Ronald J Bundy John Buquet, Jr Clayton M Buras Leander Buras Robert M Buras, Jr Waylon J Buras Elliott C Burlett John C Burlett, Jr Burnell Trawlers, Inc Charles R Burnell Deanna Lea Burnham Stuart E Burns Lindsey Hilton Burroughs, Jr Ronnie Burton Hardy E Busby Tex H Busby Robert A Bush |

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| | | | Tyler Bussey Dorothy Butcher Rocky J Butcher Albert A Butler Aline Butler Johnny Bychurch Johnny Bychurch, Jr Alex Cabanilla Jose Santos Caboz Anthony Cacioppo, Jr Mae Quick Cadiere Ronald Cadiere Jack Cahill Stanford Caillouet, Jr Jerry Lane Caison, Jr Stephen P Calcagno, Sr John S Calderone Gene P Callahan, Sr Michael J Callahan Russell Callahan Ann Callais Franklin D Callais Gary D Callais Michael Callais (2) Sandy Callais Terrence Callais Anna Camardelle Chris J Camardelle David Camardelle Edward J Camardelle, III Edward Camardelle, Jr Harris A Camardelle Knowles Camardelle Noel T Camardelle Tilman Camardelle, Jr John A Caminita, III Donald Paul Campo Kevin Campo Nicholas J Campo Roy Campo Roy Campo, Sr Ernest M Camus, Jr Carl Canova Alvin Cantrelle Eugene J Cantrelle Otis A Cantrelle Otis Cantrelle, Jr |

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| | | | Phillip A Cantrelle Tate Cantrelle Robert Joseph Cauty Binh Cao Quang Billy Viet Cao Dan Dien Cao Dung Van Cao Heip A Cao Huyen Linh Cao Nghia Thi Cao Si-Van Cao Thanh Kim Cao Tuong Van Cao Capt Chance, Inc Capt. Aaron Capt. Bean (Richard A Ragas) Capt. Bubba, Inc Capt. Carlos Trawlers, Inc Capt. Craig, Inc. Capt. Dickie V, Inc Capt. Doug Capt. GDA, Inc Capt. JDL, Inc Capt. Jimmy Inc Capt. Ken Capt. Seth, Inc Capt. Wally, Inc Captain Arnulfo, Inc Jack G Carinhas, Jr Gregory Carlos Irvin Carlos Carly Sue, Inc David J Carmadelle Rudy J Carmadelle Larry G Carmandelle Carolina Sea Foods, Inc Anthony T Carrere, Jr Larry J Carrier Carson & Co, Inc Michael Caruso David W Casanova, Sr Alphonse G Cassagne, III Alphonse G Cassagne, IV Joseph Casso Gilbert Castelin Sharon Castelin Raul L Castellanos |

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| | | | John A Castelluccio, Jr Joshua Castille Adolph Caulfield, Jr Hope Caulfield James & Jean Caulfield Salvador Cepriano Julius W Cerdas, Jr Marla Cerise CF Gollott and Son Seafood, Inc John Chabert Dean J Chaisson Henry Chaisson Vincent A Chaisson Thomas B Chaix, III Brian Champagne Harold P Champagne Kenton Champagne Leroy Champagne Lori Champagne Timmy D Champagne Willard Champagne Kim J Champlin Jason Chance Jeff Chancey Arturo Chapa Robert G Chaplin, Sr Saxby S Chaplin Charlee Girl Christopher Charles Charlotte Maier, Inc Allen J Charpentier Alvin Charpentier Daniel J Charpentier Lawrence Charpentier Linton Charpentier Melanie Charpentier Murphy Charpentier, Jr Robert J Charpentier Michelle Chartier Minh Huu Chau Anthony Chauvin Anthony P Chauvin, Jr Carey M Chauvin David James Chauvin James E Chauvin Kimberly Kay Chauvin Alton Bruce Cheeks |

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| | | | Ricky Chenier Alan Cheramie Alan J Cheramie, Jr Alton J Cheramie Berwick Cheramie, Jr Berwick Cheramie, Sr Daniel James Cheramie, Sr Danny Cheramie David J Cheramie David P Cheramie Dickey & Robbie Cheramie Donald Cheramie Enola & Murphy J Cheramie Flint Cheramie Harold L Cheramie Harry Cheramie, Jr Harry Cheramie, Sr Harvey Cheramie, Jr Harvey Cheramie, Sr Henry J Cheramie, Sr James Cheramie James A Cheramie Jody P Cheramie Joey J Cheramie Johnny Cheramie Joseph Cheramie Lee Allen Cheramie Linton J Cheramie Mark A Cheramie Murphy J Cheramie Nathan A Cheramie, Sr Neddy P Cheramie Nicky J Cheramie Ojess M Cheramie Paris P Cheramie Robbie Cheramie Rodney E Cheramie, Jr Ronald Cheramie Roy Cheramie Roy A Cheramie Sally K Cheramie Terry J Cheramie Timmy Cheramie Tina Cheramie Todd Cheramie Tommy Cheramie Wayne A Cheramie |

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| | | | Wayne F Cheramie, Sr Wayne J Cheramie Webb Cheramie, Jr Mitch Chevalier Thomas J Chew Jody J Chiasson Manton P Chiasson, Jr Gordon Childress Arthur Chisolm Henry Chisolm, Jr David Christen, Jr Vernon Christen Long V Chung Ngo V Chuong Vance Ciacchio Bozidar Cibilic John Cieutat Albino Cisneros James M Clark Jenings Clark Mark A Clark Ricky L Clark Michael A Cobb Jimmy Cochran Ernest Coleman Freddie Coleman, Jr Rodney A Colletti Ervin J Collier Wade Collier Bernard J Collins Bruce J Collins, Jr Donald Collins Earline Collins Eddie F Collins, Jr Jack Collins (2) Julius Collins Lawson Bruce Collins, Sr Lindy S Collins, Jr Logan A Collins, Jr Robert Collins Timmy P Collins Vendon Collins, Jr Wilbert Collins, Jr Woodrow Collins Chris & Michelle Colson Michael J Comardelle Allen J Comeaux |

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| | | | Curtis J Compeaux Gary P Compeaux Harris Compeaux Jody Cone Van Phan Cong Mario Contreras Edwin A Cook, Jr Edwin A Cook, Sr Joshua Cook Larry R Cook, Sr Theodore D Cook Ernest Neal Cooksey Acy J Cooper, III Acy J Cooper, Jr Acy Cooper, Sr Christopher W Cooper Jon C Cooper Marla F Cooper Vincent J Cooper John R Copeman Roger Cornwall Brenda M & Daniel Cortez Cathy & Curtis Cortez Edgar Cortez Keith J Cortez Leslie J Cortez Robert K Cosse Clayton Coston John Gordon Cotsovolos Allen J Coulon, Jr Allen J Coulon, Sr Amy M Coulon Cleveland F & Earline N Coulon Darrin M Coulon Don Coulon Ellis Coulon, Jr Country, Inc Ronnie Courville Michael Dudley Cowdrey Michael Nelson Cowdrey Michael T Crain Brian D Crawford Steven J Crawford Quentin Creamer Todd A Credeur, Sr Tony J Credeur Carlton Creppel |

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| | | | Catherine Creppel Craig Creppel Freddy Creppel Isadore Creppel, Jr Julinne G Creppel, III Kenneth Creppel (2) Nathan J Creppel, Jr Michael P Creppel Charles J Cristina Sterling James Crochet Tony J Crochet Benjy J Crosby Darlene Crosby Leonard W Crosby, Jr Ted J Crosby Thomas Crosby Lonnie Crum Melinda Cabbage Anthony J Cuccia Anthony J Cuccia, Jr Kevin Cuccia Bryan E Cumbie Hung Cuong Mike Cure Keith J Curole Kevin P & Margaret B Curole Willie P Curole, Jr Custom Pack, Inc Jason Cutrer T Cvitanovich D.G. & R.C., Inc D.S.L & R., Inc DaHa, Inc/Cat'Sass Alfred Daigle David J Daigle E J Daigle Glenn Daigle Jamie J Daigle Jason Daigle Kirk Daigle Leonard P Daigle Lloyd Daigle Louis J Daigle Melanie Daigle Michael & JoAnne Daigle Michael J Daigle Nona & Cleve Daigle |

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| | | | Jeff Daisy Cleveland L Dale David Dang Khang Dang Loan Thi Dang Minh Dang Tao Kevin Dang Thang Duc Dang Thien Van Dang Thuy Dang Van D Dang David Daniels Henry Daniels Leslie Daniels Albert Danos, Sr James A Danos Jared Danos Oliver Danos Oliver J Danos Ricky P Danos Rodney Danos Timothy A Danos Debi d'Antignac Jack d'Antignac Archie A Dantin Mark S Dantin, Sr Stephen Dantin, Jr Paul Dao Vang Dao Chrysti Dao-Nguyen Albert L Darda, Jr Gertrude & Herbert Darda J C Darda Jeremy & Tammy Darda Trudy Darda Alvin Dardar Basil Dardar, Sr Basile J Dardar Cindy Dardar David Dardar Donald S Dardar Edison S Dardar, Sr Gayle & Gilbert Dardar Isadore J Dardar, Jr Jacqueline Dardar Jonathan M Dardar Lanny Dardar |

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| | | | Larry J Dardar Mary Dardar Neal A Dardar Norbert Dardar Percy B Dardar Rose Dardar Rusty J Dardar Samuel Dardar Summersgill Dardar Terry & Patti V Dardar Toney M Dardar, Jr Toney Dardar, Sr Stephen Dargis Louis Dassau David Gollott Sfd Inc Philip J David, Jr Cliff Davis Daniel A Davis Danny A Davis James Davis John W Davis Joseph D Davis Michael Steven Davis Ronald B Davis William T Davis, Jr William Theron Davis Ilene L Dean John N Dean Stephen Dean Deau Nook Brian K DeBarge Thomas D & Sherry DeBarge Debbe Anne, Inc John Decoursey Walter Dedon Deep Sea Foods, Inc/Jubilee Foods, Inc Darryl Deere David E Deere Dennis H Deere Robin & Tracie L Defelice Ashton J DeHart, Sr Bernard J Dehart Blair Dehart Clevis Dehart Clevis Dehart, Jr Curtis P DeHart, Sr Eura Dehart, Sr |

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| | | | Ferrell Dehart Leonard M Dehart David E DeHillier Chris N DeJean, Jr & Chris N DeJean, Sr Bonnie D Dekemel WM Dekemel, Jr Avery T DelaCruz Ten Chie & Paul Delande Michael J Delatte, Sr Kip M Delaune Thomas J Delaune Todd J Delaune Carroll A Delcambre Jesse Delgado Carlton & Lorene Delino Stephen W Deloach, Jr Herman J Demoll, Jr Herman J Demoll, Sr James C Demoll, Jr Ralph Demoll Robert C Demoll Terry R Demoll Freddy Demolle Otis Demolle Fred Dennis Barbara H Deroche Caghe Derouen Rodney Deshotel David DeSilvey Byron J Despaux Byron J Despaux, Jr Glen A Despaux Ken Despaux Kerry Despaux Suzanne Despaux David E Detillier Bobby C DeVaney, Jr Wesley Frank Dickey Vu Diep Anita & Corbert Dinger, Sr Eric Dinger Mark H Dingler Chau T Dinh Khai Duc Dinh Lien Dinh Toan Dihn Ernest Dion |

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| | | | Paul A Dion Thomas Autry Dion Paul A Disalvo Robert E Dismuke, Sr Dominick Ditcharo, III David Dixon Cuong V Do Dan C Do Dung V Do Hai Van Do Hieu Do Hong Ky Do Hung Do Hung V Do Johnny Do Kiet Van Do Ky Quoc Do Lam Do Liet Van Do Luong Van Do Minh Do Minh Van Do Nghiep Van Do Ta Do (2) Ta Phon Do Thanh V Do Theo V Do Tinh Do Tinh A Do Tri Do Joseph Doan Minh Doan & Liem Doan Ngoc Doan Darryl Domangue Emile Domangue Mary Domangue Michael Domangue Paul Domangue Ranzell Domangue, Sr Stephen Domangue Westley Domangue Carolyn Domingo Amy R Dominique Gerald Dominique Ernest N Donini David C Donnelly Holly M Donohue |

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| | | | Donovan Tien I & II Denise F Dooley Craig B Dopson Presley J Dore Preston J Dore, Jr Janthan C Dorr, Jr Paul J Doucet, Sr Colleen Downey Robert Lee Doxey, Sr Ruben A & William L Doxey John T Doyle Dragnet, Inc John Drawdy Bruce W Drury, Jr Bruce W Drury, Sr Bryant J Drury Eric S Drury Helen M Drury Jeff Drury, III Kevin Drury Kevin S Drury, Sr Steve R Drury Steven J Drury James F Dubberly (3) James Michael Dubberly James Michael Dubberly, Jr John J Dubberly Euris A Dubois John D Dubois, Jr Lonnie J Dubois Louuie J Dubois Kermit Paul Duck Anthony Dudenhefer Connie S Dudenhefer Eugene A Dudenhefer Milton J Dudenhefer, Jr Brad J Duet Darrel A Duet Guy Duet Jace J Duet Jay Duet John P Duet Larson Duet Ramie Duet Raymond J Duet Tammy B Duet Tyrone Duet |

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| | | | Archie Dufrene Charles Dufrene Curt F Dufrene Elson A Dufrene Eric Dufrene Eric F Dufrene, Jr LLC Golden J Dufrene Jeremy M Dufrene Juliette B & Scottie M Dufrene Leroy J Dufrene Milton Dufrene Ronald A Dufrene, Jr Ronald A Dufrene, Sr Toby Dufrene Edward A Dugar, II Donald John Dugas Edward A Dugas, III Henri J Dugas, IV Greta Duhe Dunamis Towing, Inc Faye E & Gary Duncan Loyde C Duncan Bob Dunn Billy Duong Chamroeun Duong E M Duong Ho T Duong Kong Duong Mau Duong Blair P Duplantis David Duplantis Frankie J Duplantis Maria Duplantis Teddy Duplantis Wedgir Duplantis, Jr Anthony James Duplessis, Sr Bonnie S Duplessis Clarence R Duplessis Brandon P Dupre Cecil Dupre David A Dupre Davis J Dupre, Jr Easton J Dupre Jimmie Dupre, Sr Linward P Dupre Mary L Dupre Michael J Dupre |

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| | | | Michael J Dupre, Jr Randall P Dupre Richard A Dupre Rudy P Dupre Ryan A Dupre Tony J Dupre Troy A Dupre Bryan Dupree Derrick Dupree Malcolm J Dupree, Sr Clayton J Dupuis Walter Y Durand Melvn A Dusang Denvil H Duval, Sr Wayne Duval Nadine D Dyer Bert L Dykes Adley L Dyson, Jr Adley L Dyson, Sr Amy Dyson Casandra Dyson Clarence Dyson, III Jimmy L Dyson, Sr Jimmy Dyson, Jr Kathleen Dyson Maricela Dyson Phillip Dyson, II Phillip Dyson, Sr William Dyson Bill Eckerd Angela B Edens Donnie Edens Jeremy Donald Edens Nancy M Edens Steven L Edens Timothy Dale Edens Daniel Edgar Joey Edgar Roosevelt Edgerson Edward Garcia Trawlers Tommy Edwards Jody D Ellerbee David Ellison, Jr Elmira Pflueckhahn, Inc Alfred Encalade, Jr Anthony T Encalade Cary Encalade |

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| | | | Joshua C Encalade Stanley A Encalade Joseph L Enclade Michael Enclade & Jeannie Pitre Rodney J Enclade Alfred Englade A L Ennis, Jr Enterprise Inc Grant Erickson Carroll Erlinger Gary R Erlinger Keith A Eschete Benny A Esteller Kenneth Eskine Ernest J Esponge David James Estaves, Sr Ricky Joseph Estaves Allen J Estay Wayne Estay Anthony E Esteves, Jr Orestes Estrada Emile J Evans, Jr Kevin J Evans Lester Evans Lester J Evans, Jr Tracey J Evans, Sr George C Everson Brian P Eymard, Sr Jervis J & Carolyn B Eymard Morris C Fabiano Mark Fabra Alton Fabre, Jr Ernest J & Peggy B Fabre Kelly V Fabre Sheron Fabre Terry A Fabre Wayne M Fabre Mitchell J Falcon Barney Falgout Jerry P Falgout Leroy J Falgout Timothy J Falgout Barry Fanguy Thomas J Farris Christopher J Fasone William J Fasone Lester J Faulk |

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| | | | Thomas J Favalaro Michael Favre, Jr Jeffery Fazende Thomas Fazende Thomas G Fazende Anthony Fazzio Douglas Fazzio Maxine & Steve Fazzio E J Felarise Wayne A Felarise, Sr Laudelino Fernandez Audrey B Ferrara Dominick Ficarino, Jr Bryan Fields Anthony F Fillinich Anthony Fillinich, Sr Jack Fillinich Penny Fincher William Fincher Burton E Fisch Kelly Fisher Kirk Fisher Kirk A Fisher Fisherman's Reef Shrimp Co Adam Fitch Hanson Fitch Burnell Fitzgerald Kirk Fitzgerald Kirk D Fitzgerald Ricky J Fitzgerald, Jr John M Fleming Meigs F Fleming Mike Fleming Dana Flick Helena D Flores Thomas Flores Steve W Flowers Vincent F Flowers David M & Mary Folse Heath Folse Ronald B Folse Francis Fonseca, Sr William S Fontaine Peggy D Fontenot Judy Ford Warren Wayne Ford Ralph Foreman, Jr |

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| | | | Alva J Foret Billy J Foret Brent J Foret Glenn Foret Houston Foret Lovelace A Foret, Sr Loveless A Foret, Jr Mark M Foret Patricia C Foret David P Forrest John Forsythe Fortune Shrimp Co, Inc Michael A Fortune George J France Albert Francis James K Franklin Anthony Frankovich Michael Franks Richard Wayne Frauenberger David J Frazier David M Frazier James Frazier Michael Frazier Davis Frederick Johnnie & Jeannie Frederick Michael Frederick Freedom Fishing, Inc Arthur D Freeman Darrel P Freeman, Sr Larry Scott Freeman Charles P Frelich Floyd J Frelich Kent Frelich Doug Frerics Albert R Frerks, Jr Darell Frickey Darren Frickey Dirk I Frickey Eric J Frickey Harry J Frickey, Jr Jimmy Frickey Rickey J Frickey Westley Frickey Brad Frioux Jeanette M Frisella Jerome A Frisella, Jr Wade P Fruge |

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| | | | G & O Shrimp Co, Inc G. R. LeBlanc Trawlers, Inc James Gadson Dwayne Gaines Christine Gala Jess J Galjour Reed Galjour John W Gallardo Anthony Galliano Horace J Galliano Joseph Galliano, Sr Logan J Galliano Lynne L Galliano Moise Galliano, Jr A T Galloway, Jr Giles F Galt Luvencie J Gambarella Kristine Ganoi Ana M Garcia Anthony Garcia Edward Garcia Joseph Garcia Kenneth Garcia Larry S Garner Dalton J Gary Ernest J Gary Leonce Gary, Jr Andrew Garza Jose H Garza Elbert Clinton & Sandra Gaskill Timothy Gaspar Dudley A Gaspard, Jr Hazel C Gaspard & Aaron Gaspard Leonard J Gaspard Michael Gaspard, Sr Murry Gaspard Murry A Gaspard, Jr Murry Gaspard, Sr Murvin Gaspard Ronald W Gaspard, Sr Ronald Wayne Gaspard, Jr Elizabeth & Gregory M Gaubert Melvin Gaubert Allen J Gaudet, IV Ricky Gaudet, Jr Hewitt J Gauthier, Sr William A Gautreaux |

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| | | | Norman F Gay Robert G Gay Daryl G Gazzier Emanuel A Gazzier Wilfred E Gazzier William F Gegenheimer James Geiling Tony Geisman Robert Gentry Samuel W Gentry, Jr James J George, Jr Clara Gerica Peter Gerica Corey P Giambrone Eddie E Gibson Joseph Gibson Ronald F Gibson James D Gillikin Chad Paul Girard Mark Giroir Anthony J Gisclair Anthony Joseph Gisclair, Sr August Gisclair Dallas J Gisclair, Sr Doyle A Gisclair Kip J Gisclair Romona Gisclair Wade Gisclair Walter Gisclair Charles D Glover Larry Glynn George Goetz Robert E Goings Gold Coast Seafood, Inc Golden Gulf Coast Pkg Co, Inc George T Golden William L Golden Brian Gollot Edgar R Gollot Gollott Brothers Sld Co, Inc Arnold Gonzales, Jr Mrs Cyril E Gonzales, Jr Rene R Gonzales Rudolph S Gonzales Rudolph S Gonzales, Jr Rudolph S Gonzales, Sr Sylvia A Gonzales |

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| | | | Tim J Gonzales Jorge Gonzalez, Jr Donald E Gordon Patrick Alvin Gordon Jean J Gordstnoven Henry H Gore Isabel Gore Thomas L Gore Timothy A Gore Gregory Gottschalk Harold C Gourgues, Jr Tony C Goutierrez Darrell Graham Steven H Graham Grandpa's Dream Albert J Granger, Sr Stephen Granier Michael Grass Robert N Graves, Sr Jeannette Gray Monroe & Shirley E Gray Wayne A Gray, Sr Ruston Graybill Craig X Green James W Green, Jr Shaun Green W C Greenlaw, Jr Ernest L Gregoire Rita M Gregoire Curtis B Gregory Mercedes E Gregory Raymond L Grice, Jr Alden J Griffin, Sr David D Griffin Elvis Joseph Griffin, Jr Faye Griffin Faye Ann Griffin Jimmie J Griffin Nolty J Griffin Rickey Griffin Sharon Griffin Timothy Griffin Troy D Griffin Alfred A & John Groff Hank Groover Brent J Gros, Sr Craig J Gros |

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| | | | Danny A Gros Gary Gros, Sr Junius A Gros, Jr Keven Gros Michael A Gros Homer Gross Janet M & Tate Grossie Shane A Grossie Jimmie C Grow John Guenther, Jr Raphael Guenther Bruce Guerra Chad L Guerra Fabian C Guerra Guy A Guerra Kurt P Guerra, Sr Ricky J Guerra Robert Guerra Ryan Guerra Troy A Guerra William Guerra, Jr Warren J Guidroz Alvin A Guidry Andy J Guidry Arthur Guidry Bud Guidry Calvin P Guidry & Holly A Guidry-Calva Carl J Guidry Charles J Guidry Chris J Guidry Clarence P Guidry Clark Guidry Clint Guidry Clinton P Guidry, Jr Clyde A Guidry David Guidry Dobie Guidry Douglas J Guidry, Sr Elgy Guidry, III Elgy Guidry, Jr Elwin A Guidry, Jr Gerald A Guidry Gordon Guidry, Jr Guillaume A Guidry Harold Guidry Jason Guidry Jessie J Guidry (2) |

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| | | | Jonathan Guidry Joseph T Guidry Keith M Guidry Kenneth J Guidry Kerry A Guidry Marco Guidry Michael J Guidry Nolan J Guidry, Sr Randy Peter Guidry, Sr Rhonda S Guidry Robert C Guidry Robert J Guidry Robert W Guidry Roger Guidry Ronald Guidry Roy Anthony Guidry Roy J Guidry Tammy Guidry Thomas P Guidry Timothy Guidry Troy Guidry (2) Ulysses Guidry Vicki Guidry Wayne J Guidry Wyatt Guidry Yvonne Guidry Donald J & Lou Guilbeax Shirley Guillie Horace H Guillory Benjamin J Guillot, Jr Rickey A Guillot Gulf Crown Seafood Co, Inc Gulf Fish, Inc Gulf Island Shrimp & Seafood II, LLC Gulf Shrimp Gulf Sweeper, Inc (Trawler Gulf Sweeper) Gulf Trawlers Lee Gullledge Anita Gutierrez Jody Guy Kimothy Paul Guy Wilson Guy Cherie Lan Ha Co Dong Ha Lai Thuy Thi Ha Lyanna Ha Johnny Hafford |

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| | | | Hagan & Miley, Inc Robbin Richard Haiglea William E Hales Rhonda L Halili Byron S & Lorrie A Hall Darrel T Hall, Sr Michael P Hammer Julius Michael Hammock William Handlin, Sr Cam T Hang Chris Hansen Eric P Hansen Edmond A Hanson Louis Harbison Louis Hardison John C Hardy Sharon Hardy Londrie Harley Michelle Harmon George J Harrington Jay Harrington Bobby D Harris Buster Harris Jimmy Wayne Harris, Sr Johnny Ray Harris Kenneth A Harris Susan D Harris William Harris Daniel L Harrison Leon M Hartmann, Jr Walter Hartmann, Jr Errol Henry Hattaway Kenneth Haycock Gregory Haydel Clinton Hayes (C&S Enterprises of Brandon, Inc) Katherine F & Lod Hayes, Jr Hong Hean Walter Heathcock, Jr Albert Joseph & Betty Jo Hebert Bernie Hebert Chris Hebert Craig J Hebert David Hebert David Hebert, Jr Earl J Hebert Eric J Hebert Jack M Hebert |

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| | | | Johnny Paul Hebert Jonathan Hebert Jules J Hebert Kim M Hebert Lloyd S Hebert, III Michael J Hebert Myron A Hebert Norman Hebert Patrick Hebert Patrick A Hebert Pennington Hebert, Jr Philip Hebert Robert A Hebert Terry W Hebert Gerald J Hedrick, Jr Helen E, Inc Helen Kay, Inc Claudia A & Gerry J Helmer Herman C Helmer, Jr Kenneth Helmer Larry J Helmer, Sr Michael A Helmer, Sr Rusty L Helmer Windy Helmer Brad Henderson Curtis Henderson David A Henderson, Sr & David A Henderson, Jr Olen Henderson P Loam Henderson Joanne Henry Rodney Henry Patrick & Terry Herbert Rodney O Hereford, Jr Rodney O Hereford, Sr Corey Hernandez Mark Herndon Charles W Hertel Edward C Hertz, Sr Allen L Hess Allen L Hess, Sr Henry D Hess, Jr Jessica R Hess Wayne B Hess James Hewett Hi Seas of Dulac, Inc John Hickman James W Hicks |

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| | | | Larry W Hicks Walter R Hicks Nguyen Hien Joseph J Higgins, III Darren S Hill Joseph R Hill Sharon Hill Willie E Hill, Jr Herman W Hills Barbara E & Roland T Hingle, Jr Rick A Hingle Roland T Hingle, Sr Ronald J Hingle R Hinojosa Randy Hinojosa Ricky A Hinojosa Nicole Marie Hipps Dung Tan Ho Hung Ho Jennifer Ho Lam Ho Nga T Ho O Ho Sang N Ho Than H Quoc Ho Thanh Q Ho Thanh Qisoe Ho Thien Dang Ho Tien Van Ho Tri T Ho Dung T Hoang Hoa Hoang John & Julie Hoang Julie Hoang Kimberly Hoang Linda Hoang Loan Hoang Tro Van Hoang Trung Kim Hoang Trung Tuan Hoang Ly Hoc Harry K Hoffpaviz Boyce Dwight Holler, Jr Dennis J Hollier Carl D Holloway Home Loving Care, Co Malcolm Hood |

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| | | | Douglas Hopton Shawn Horaist Warren L Hostettler, II Claude Hotard Emile J Hotard, Jr Jeff B Howard Wendell Howerin, Sr Keith Hubbard Perry Hubbard Berry T Huber Charles A Huber Irma Elaine Huck Steven R Huck Harold Huckabee Patrick A Hue Brad J Hughes Thomas Hults Daniel Hutcherson Douglas Hutchinson George D Hutchinson William H Hutchinson Cynthia E & Henry G Hutto, Jr Hai Van Huynh Dung Huynh Dung V Huynh Hai Huynh (2) Hoang D Huynh Hoang Van Huynh Hung Huynh Johnnie Huynh Kim Huynh Lay Huynh Long Huynh Mack Van Huynh Mau Van Huynh Minh Huynh Minh V Huynh Nam Van Huynh Thai Huynh Thanh Huynh The V Huynh Tri Huynh Truc Huynh Tu Huynh (2) Van X Huynh Viet Van Huynh Joseph Hymel, Jr |

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| | | | Michael D Hymel Nolan J Hymel, Sr Independent Fish Company, Inc Herbert W Ingham Richard M Inglis Joseph S Ingraham Integrity Fisheries, Inc International Oceanic Ent William B Ipock Isabel Maier, Inc George Iver, Jr J & J Rentals, Inc Carl John Jackson David Jackson Eugene O Jackson Glenn C Jackson, Jr Glenn C Jackson, Sr James Jerome Jackson John D Jackson John E Jackson, Sr Levi Jackson Nancy L Jackson Robert W Jackson Shannon Jackson Shaun C Jackson Steven A Jackson Jacob A, Inc Ronald R Jacob Warren J Jacob, Jr Lawrence F Jacobs Billy & Marilyn Jarreau James D Jarvis Emma Jaye JBS Packing Co, Inc Vincent R Jeanfreau William Jefferies Timothy Michael Jemison, Sr Jacobs Jennings Jesse Shantelle, Inc Harold J Joffrion, Jr Montha Jok & Tan No Le Albert F Johnson Ashley L Johnson Bernard Johnson, Jr Brent W Johnson Bruce W Johnson Carl S Johnson |

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| | | | Carolyn Johnson Clyde Johnson, Sr David G Johnson David Paul Johnson Gary Allen Johnson, Sr George D Johnson Randy J Johnson Regenia Johnson Robert Johnson Ronald Ray Johnson, Sr Steve Johnson Thomas Allen Johnson, Jr Ronald Johnston Nicholas J Joly, Jr Charles Jones Clinton & Daisy Mae Jones Jerome N Jones, Sr John W Jones Larry Jones Len Jones Michael G Jones, Sr Paul E Jones Perry T Jones, Sr Ralph William Jones Richard G Jones, Sr Stephen K Jones Joni John, Inc (Leon J Champagne) Donald F Joost Dean Jordan Hubert W Jordan, III (Bert) Hubert W Jordan, Jr Joseph Anthony Ramon G Judalet William Roger Judy Ida Julian John I Julian, Sr Julie Ann LLC Julie Shrimp Co, Inc (Trawler Julie) Julio Gonzalez Boat Builders, Inc Anthony Juneau, Sr Bruce Juneau Robert A & Laura K Juneau, Jr Leander J Jurjevich K & J Trawlers Jules B Kain, Sr Martin A Kain Kandi Sue, Inc |

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| | | | Chamroeun Kang Sambo Kang Brenda Kap KBL, Corp Robert M Keenan Robert Steven Keer Kenneth & Roxanne Kellum, Sr Larry Gray Kellum, Sr Roger B Kelly Thomas E Kelly Chuck J Kendrick Michael S Kennair Dothan Kennedy Kenneth Garcia Trawlers David Kenney, Jr Robert W Kenney Michael A Kent Bunly Keo Steve Kerchner Thurmond Kern Sochenda Khin Lep & Nga Ho Khui Frank Kidd Hank J Kiff Melvin Kiff Horace Kiffe Puch Kim Carson Kimbrough Soeun Kim-Tun Andy A King James B & Wesley King Thornell King An Kit Anthony J Kizer Robert Kleimann Robert Klein Alton P Knapp, Jr Alton P Knapp, Sr Ellis L Knapp, Jr Melvin L Knapp Theresa Knapp Frederick Knecht, Jr Lee Knezek George Knight Keith B Knight Knight's Seafood Inc Howard J Koch |

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| | | | Seng Kong Bobby Konitz Curtis S Koonce Howard N Koonce Mark L Kopszywa Stanley J Kopszywa Stejepan Kotulja Bridget Kraemer Wilbert Kraemer, Jr David Kramer Arthur Krantz, Jr Lori Krantz Ronald A Kreger, Sr Roy J Kreger, Sr Ryan A Kreger Raymond A Krennerich Frank D Kruth Alphonse L Kuchler, III Bruce A Kuhn, Sr Gerard R Kuhn, Jr Gerard R Kuhn, Sr Deborah & Robert Michaels Kuhns L & O Trawlers, Inc L.W. Graham, Inc La Pachita, Inc Kerry LaBauve Sabrina LaBauve Terry LaBauve Todd A LaBiche Carroll LaBove Frederick P LaBove Jacqueline Lachica Douglas Lachico Tony C Lacobon Tommy W Lagoon Broddie LaCoste Carl LaCoste Dennis E LaCoste Grayland J LaCoste Malcomb LaCoste, Jr Melivn LaCoste Ravin LaCoste, Jr Ravin LaCoste, Sr Clarence J Ladner, III Earlene G Ladson Lady Barbara, Inc Lady Katherine, Inc |

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| | | | Lady Kelly, Inc Lady Melissa, Inc Douglas A LaFont, Sr Edna S LaFont Lafont, Inc Jackin Lafont Noces J LaFont, Jr Weyland J LaFont, Sr Lafourche Clipper, Inc Joseph T LaFrance Frank N Lagarde Gary Paul Lagarde Hen K Lai Then Lai Cang Van Lam Cui Lam (2) Dong Lam Dong Van Lam Lan Van Lam Lee Phenh Lam Qui Lam Sochen Lam Tai Lam Tihn Huu Jessie J Lambas, Sr Clarence Lander, III David A Landry Dennis J Landry Edward N Landry, Jr George Landry (2) James F Landry Jude C Landry Robert E Landry Ronald J Landry Samuel J Landry, Jr Tracy Landry Daniel E Lane Lance Lapeyrouse Rosalie Lapeyrouse Tillman J Lapeyrouse James L LaRive, Jr Daniel LaRoche Lasseigne & Sons, Inc Betty & Jefferson Lasseigne Blake Lasseigne Floyd Lasseigne Frank Lasseigne |

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| | | | Ivy Lasseigne, Jr Jefferson P Lasseigne, Jr Johnny J Lasseigne Marlene Lasseigne Nolan J Lasseigne Trent Lasseigne Chhiet Lat Charlotte A Latapie Jerry Latapie Joseph Latapie Joseph F Latapie, Sr Travis Latapie Crystal Latapie Craig J Latiolais Joel Latiolais Ho Thanh Lau James G Laughlin James M Laughlin Yvonne M Laurent Roger Lavergne Terrance Lawdros, Jr Michael A Layrisson, III Amanda Le An Van Le Ben Le Ben & Kim Le Binh T Le Cheo V Le Chinh Thanh Le Cu Thi Le Dai M Le Dale Le David Rung Le Du M Le Due V Le Hien V Le Houston T Le Hung Le Jimmy & Hoang Le Khoa Le Ky Van Le Lang Van & Tracy Lan Chi Le Lisa T Le Loi Le My Le My V Le Nhieu T Le |

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| | | | Nhut Hoang Le Nu Thi Le Phat Le & Le Tran Phuc Van Le Que V Le Robert Le Sau V Le Son Le (2) Son H Le Son Quoc Le Son Van Le Son Von Le Su Le Tam Le Tam V Le Thanh Huong Le Tong Minh Le Tony Le Tuan Nhu Le Viet Hoang Le Vui Le Andrew S Leaf Roland Leary LeBauve, Inc Thomas LeBeauf Donnie LeBlanc Edwin J LeBlanc Enoch P LeBlanc Gareth R LeBlanc, Jr Gareth LeBlanc, III Gerald E LeBlanc Hubert C LeBlanc Jerald LeBlanc Jesse LeBlanc, Jr Keenon A LeBlanc Keenon H LeBlanc Lanvin J LeBlanc Luke A LeBlanc Marty J LeBlanc, Jr & Marty J LeBlanc Mickel J LeBlanc Robert LeBlanc Robert Patrick LeBlanc Scotty M LeBlanc Shelton LeBlanc Terry J LeBlanc Brent J LeBoeuf Edward J LeBoeuf |

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| | | | Emery J LeBoeuf Joseph R LeBoeuf Dale LeBouef Ellis J LeBouef, Jr Jimmie LeBouef Leslie LeBouef Lindy J LeBouef Micheal J LeBouef Raymond LeBouef Tammy Y LeBouef Tommy J LeBouef Wiley LeBouef, Sr Stephen A LeBourgeois Alena & Jesse LeCompte, Jr Aubrey J LeCompte Etha LeCompte Jesse LeCompte, Sr Lyle LeCompte Patricia F LeCompte Todd LeCompte Troy A LeCompte, Sr Brad Ledet Bryan Ledet Carlton Ledet Charles J Ledet Jack A Ledet Kenneth A Ledet Mark Ledet Maxine B Ledet Mervin Ledet Phillip John Ledet Dennis Ledoux Joe J Ledwig Carl Lee James K Lee Marilyn & Robert E Lee Otis M Lee, Jr Raymond C Lee Steven J Lee Roy J LeGaux, Jr Kerry Legendre Paul Legendre Andre Leger Alex M LeGros Debbie LeJeune Philip LeJeune, Jr & Philip LeJeune, Sr Eddie R LeJuine |

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| | | | Allston B LeLand Rutledge B Leland, III Rutledge B Leland, Jr David LeLeaux Kevin Leleux Jeffery Lemoine, Jr Micheal A Leonard Rosalie Lepeyroose Leroy L Lepine Rudy Lesso, Jr Shawn Lester Dale T Levron Patrick T Levy James Kenneth Lewis, Sr dba FV Mary Ann Mark Steven Lewis Anthony R Libersat Kim Libersat Liberty I & St Vincent One B, Inc Donald L Lichenstien Douglas P Lilley Chhay Lim Koung Lim Tav Seng Lim Eric L Linden Claude T Liner, Jr Harold Liner Jerry Liner Kevin Liner Michael B Liner, Sr Morris T Liner, Jr Morris T & Tandy M Liner, Sr Pham Linh Alex J Lirette, Sr Bobby & Sherri Lirette Chester P Lirette Daniel J Lirette Dean J Lirette Delvin J Lirette, Jr Desaine J Lirette Eugis P Lirette, Sr Guy Lirette Jeannie Lirette Kern A Lirette Ron Lirette Russell (Chico) Lirette, Jr Shaun Patrick Lirette Terry J Lirette, Sr |

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| | | | Little Ernie Gulf Trawler, Inc William A Little William Boyd Little Niem S Liv Ernest J Livaudais Harry R Liverman Michael Anthony LoBue, Sr Dustin Locascio William T Lockhart Kerry Lodrigue Jimmy A Lodrique Joseph P Lombardo James A Lombas Kim D Lombas Robert Long Ronald S Longo, Jr Ryan Heath Longwater Celestino Lopez Harry N Lopez Ron Lopez Scott Lopez Stephen R Lopez, Jr Michael E Lord, Sr Louisiana Newpack Shrimp Co, Inc Louisiana Shrimp and Packing Co, Inc Louisiana Shrimp Association George Loupe, Jr Ted Loupe Billy Lovell Bobby Jason Lovell Bradford Lovell Charles J Lovell, Jr Clayton Lovell Douglas P Lovell Jacob G Lovell Lois Lovell Slade M Lovell Low Country Lady (Randolph N Rhodes) Bernadette C & Rudolph J Luke David Luke Dustan Luke Henry Luke Jeremy Luke Keith J Luke Patrick A Luke Patrick J Luke Paul Leroy Luke |

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| | | | Samantha Luke Sidney Luke, Jr Terry P Luke, Jr Terry P Luke, Sr Timothy Luke Wiltz J Luke Ora G Lund Ferrell J Luneau Thu X Luong Lydia Luscy Richard Luscy William A Lutz Binh Luu Vinh Luv Hen Ly Kelly D Ly Nu Ly Ven Ly Rosalie Lyall Lynda Riley, Inc Berton J Lyons Jack Lyons Jerome M Lyons M.V. Lerin Lane Marvin Mackey Kevin L Mackie Wayne A Maggio Edwin W Magwood Danny V & Lang V Mai Tai Mai Rubin J Maise Todd Maise Ernest J Majoue Nathan L Majoue David Malcombe Irwin Ray Mallett Jimmie Mallett Lawrence J Mallett Mervin B Mallett Rainbow Mallett Stephney Mallett Ned F Malley, Jr Malolo LLC Mamacita, Inc Charles H Mamolo, Sr Romeo C Mamolo, Jr Terry A Mamolo |

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| | | | Jesus Mancera Joseph R MaNoel Shon Manuel Chandarasy Mao Kim Mao Michelle Marcel Joe Marchese, Jr Marcos A Ansley Mareno Brent J Mareno Kenneth Mareno Mariah Lynn, Inc Allen J Marie Marty Marie Al Marmande Alidore Marmande Denise Marmande Heather Marquize Kip Marquizz Roy C Marris, Jr Darren & Wendy Martin Dean Martin Dennis Martin Jody W Martin John F Martin, III Michael A Martin Nora S Martin Rod J Martin Roland J Martin, Jr Russel J Martin, Sr Sharon Martin Tanna G Martin Carl R Martinez Henry Martinez Henry Joseph Martinez Lupe Martinez Michael Martinez Rene J Martinez Mary Bea, Inc James Mason, Jr Johnnie W Mason Luther Mason Percy D Mason, Jr Master Mike, Inc Larry Mathene, Jr Forest J Matherine Anthony Matherne |

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| | | | Blakland Matherne, Sr Bradley J Matherne Claude I Matherne, Jr Clifford P Matherne Curlis J Matherne George J Matherne Glenn A Matherne Grace L Matherne James C Matherne James J Matherne, Jr James J Matherne, Sr Joey A Matherne Keith Matherne Louis M Matherne, Sr Louis Michael Matherne Nelson Matherne Thomas G Matherne Thomas G Matherne, Jr Thomas M Matherne Thomas M Matherne, Sr Thomas Matherne, Jr Wesley J Matherne Patrick Mathews (2) Barry Mathurne Martin J Matte, Sr Mark D Mavar Lonies A Mayeux, Jr Roselyn P Mayeux Gary Mayfield Henry A Mayfield Henry A Mayfield, Sr James J Mayfield, III Allen J Mayon Wayne Mayon, Sr Henry J McAnespy Louis McAnespy Marcus H McCall R Terry McCall, Sr Michael McCarthy Byron Keith & Katrina McCauley Robert R & Debra McClantoc Eugene Gardner McClellan Len McCormick Denny Carlton McCuiston Allan McDonald Harry J McElroy Merlin J McFarlain, Jr |

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| | | | Dennis McGuinn James Richard McIntosh Michael D McIntyre John H McIver, Jr Roy McKendree Bobby E McKenzie Robert McKoin Robert F McKoin, Jr Jonathon S McLendon Robert McNab, Jr Don W McQuaig Oliver J McQuaig David P Medine Timmy J Melanco Brent K Melancon Neva Melancon Rickey Melancon Roland D Melancon & Roland T Melancon, Jr Sean P Melancon Terral J Melancon Ozimea J Melanson, III Raymond Joseph Mearine Angela Melerine Brandon T Melerine Claude A Melerine Claude A Melerine, Jr Dean J Melerine Eric W Melerine, Jr John D Melerine, Sr Linda C Melerine Daniel W Melford, Sr Nelvin Mello Randall J Pinnell Member Sophin Men Wade E Menendez Dennis Menesses James H Menesses Louis Menesses Lionel A Menge Vincent J Menge Mer Shrimp, Inc Dempsey Mercy Harold A Merrick Kevin Merrick, Sr Darren Merritt, Sr Chase Messer Otis J Meyers |

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| | | | Soeum Miarm Michael Lynn Steven D Michel Dan Middleton, Sr Henry Miguez Kevin L Miguez, Sr Ricky David Miles Joseph Militello David W & Rhonda E Miller Fletcher N Miller James A Miller Larry B Miller Mabry Allen Miller Mabry Allen Miller, Jr Michael E Miller Michele K Miller Randy A Miller Wayne Miller Leon B Millet Milliken & Son's Donnie Millington Ronnie Millington Moses Millis Raeford Millis Ralford Millis Timmie Lee Millis Derrick Mine Peter G Miner Phuc-Truong Minh Miss Alice, Inc Miss Ashleigh Miss Barbara Miss Bertha (M/V) & Kevin & Bryan (M/V) Miss Candace Miss Candace Nicole, Inc Miss Carla Jean, Inc Miss Caroline, Inc Miss Carolyn Louise, Inc Miss Cleda Jo, Inc Miss Danielle Gulf Trawler, Inc Miss Gabrielle, Inc Miss Georgia, Inc Miss Hannah Miss Loraine Miss Luana D Shrimp Co Miss Marilyn Louise, Inc Miss Nicola |

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| | | | Miss Rhianna, Inc Miss Sandra II Miss Savannah II Miss Suzanne Miss WillaDean Miss Yvette, Inc Ricky Allen Mitchell Todd Mitchell Francis C Mitchum G C Mixon Bryan A Mobley Jimmy Mobley, Sr Robertson Mobley Frank Mock, Sr Frankie E Mock, Jr Jesse R Mock, II Terry Mock Louis Frank Molero Louis Molero, III Al L Molinere Floyd Molinere Roland & Stacy Molinere, Jr Angela Moll Jerry J Moll, Jr Jonathan P Moll Julius J Moll Randall Moll, Jr Randall Mollere Mom & Dad, Inc Philip J Mones, Jr Tino Mones Guy D Moody Carl Stephen Moore Curtis L Moore Kenneth Moore Richard Moore Willis Moore Nguyen Moot Anthony Morales Clinton A Morales Daniel Morales, Jr Daniel Morales, Sr David Morales Elwood J Morales, Jr Eugene J Morales, Jr Eugene J Morales, Sr Kimberly & Raul Morales |

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| | | | Leonard L Morales Phil J Morales, Jr Scott Moran Allen J Moreau Berlin J & Mary Moreau, Sr Daniel R Moreau Hubert Moreau Rickey J Moreau, Sr Arthur B Morehead, Jr Ansley Moreno Harold R Morgan John Morici Herbert Eugene Morris Jesse A Morris Jesse A Morris, Sr Preston Morris Robert A Morton Keith M Morvant Patsy Lishman Morvant Chalam Moschetteiri Kevin R Moseley William L Mouille Ashton J Mouton Timothy Moverant Mr. Verdin, Inc Mark Mund Denis R Murphy Gary J Muth, Sr Joseph E Myers, Jr Tran Van Na Andrew Naccio Lance M Nacio Noel Nacio Philocles J Nacio, Sr Nancy Joy Alton J Naquin Andrew J Naquin, Sr Antoine Naquin, Jr Autry James Naquin Bobby J & Sheila Naquin Christine & Milton H Naquin, IV Dean J Naquin Donna P Naquin Earl Naquin Earl L Naquin Freddie Naquin Gerald Naquin |

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| | | | Henry Naquin Jerry Joseph Naquin, Jr Kenneth J Naquin, Jr Kenneth J Naquin, Sr Kenneth Naquin, Jr Linda L Naquin Lionel A Naquin, Jr Mark D Naquin, Jr Marty J Naquin, Sr Oliver A Naquin Robert Naquin Roy A Naquin Vernon Naquin Curtis J Navarre Emma & Floyd G Nавero, Jr Craig A Neal Roy J Neal, Jr Bobby H Neely Raymond E Nehlig, Sr Dean Neil Jacob Neil Robert J Neil, Jr Deborah Nelson Elisha W Nelson Ernest R Nelson Faye Nelson Fred H Nelson, Sr Gordon Kent Nelson, Sr Gordon W Nelson, III Gordon W Nelson, Jr William O Nelson, Jr Aaron J Nelton, Jr Steven J Nelton Nevgulmarco Co, Inc Ronald B Newell Thomas E Newsome Paul J Newton Dong Xuan Neyuh Hung V Ngo Liem Thanh Ngo The Ngo Truong Dinh Ngo Vu Hoang Ngo Thoi Ngu Amy Nguyen An Hoang Nguyen Andy Dung Nguyen |

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| | | | Anh Nguyen Auyan Nguyen Ba Nguyen Bac Van Nguyen Bao Q Nguyen Bich Thao Nguyen (2) Bien Nguyen Binh Nguyen (3) Binh Cong Nguyen Binh V Nguyen Can Van Nguyen Cath V Nguyen Charlie Nguyen Chien Nguyen Chien Van Nguyen Chin Nguyen Chinh Van Nguyen Christian Nguyen Chung Nguyen Chung Van Nguyen Chuong Hoang Nguyen Chuong V Nguyen Chuyen Nguyen Coolly Dinh Nguyen Cuong Nguyen Dai Nguyen Dan Nguyen Dan Van Nguyen (2) Dang Nguyen Danny Nguyen De Van Nguyen Den Nguyen Diem Nguyen Dien Nguyen Diep Nguyen Dinh Nguyen (2) Dong T Nguyen Dong X Nguyen Duc Nguyen Duc Van Nguyen Dung Nguyen Dung Ngoc Nguyen Duong V Nguyen Duong Xuan Nguyen Dvoc Nguyen Elizabeth Nguyen Gary Nguyen |

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| | | | Giang T Nguyen Giau Van Nguyen Ha T Nguyen Ha Van Nguyen Hai Nguyen Hai Van Nguyen Han V Nguyen Hang Nguyen Hanh T Nguyen Harry H Nguyen Henri Hiep Nguyen Henry-Trang Nguyen Hien Nguyen Hiep Nguyen Ho V Nguyen Hoa Nguyen Hoa N Nguyen Hoang Nguyen (2) Hoi Nguyen Hung Nguyen (2) Hung M Nguyen Hung Van Nguyen Huu Nghia Nguyen Jackie Tin Nguyen James Nguyen Jennifer Nguyen Jimmy Nguyen (2) Joachim Nguyen Joe Nguyen John R Nguyen John V Nguyen Johnny Nguyen Joseph Minh Nguyen Kenny Hung Mong Nguyen Khanh Nguyen Khanh & Viet Dinh Nguyen Khanh Q Nguyen Khiem Nguyen Kim Nguyen (2) Kinh V Nguyen Lai Nguyen (2) Lai Tan Nguyen Lam Van Nguyen Lang Nguyen (2) Lanh Nguyen Lap Van Nguyen Le Nguyen |

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| | | | Lien Thi Nguyen Linda Oan Nguyen Linh Thi Nguyen Lintt Danny Nguyen Lluu Nguyen Loc Nguyen Loi Nguyen (2) Long Phi Nguyen Long T Nguyen Long Viet Nguyen Luom T Nguyen Mai Van Nguyen Man Van Nguyen Mao-Van Nguyen Mary Nguyen Minh Nguyen (3) Minh Ngoc Nguyen Minh Van Nguyen (2) Mui Van Nguyen Mung T Nguyen My Le Thi Nguyen My Tan Nguyen My V Nguyen Nancy Nguyen Nghi Q Nguyen Nghia Nguyen Ngiti Nguyen Ngoc Tim Nguyen Ngoc Van Nguyen Nguyet Nguyen Nhi Nguyen Nuona Nguyen Nuong Nguyen Peter Nguyen Peter V Nguyen Phe Nguyen Phong Ngoc Nguyen Phong T Nguyen Phong Xung Nguyen Phu Huu Nguyen Phuc Nguyen Phuoc H Nguyen Phuoc Van Nguyen Phuong Nguyen (2) Quang Nguyen Quang Dang Nguyen Quang Dinh Nguyen |

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| | | | Quang Van Nguyen Quoc Van Nguyen Quyen Minh Nguyen Quyen Van Nguyen Quyet Nguyen Ran T Nguyen Randon Nguyen Richard Nguyen Rick Nguyen Ricky Thinh Nguyen Sam Nguyen Sandy Ha Nguyen Sang Nguyen Sau V Nguyen Si Ngoc Nguyen Son Thanh Nguyen Son Van Nguyen Steven Giap Nguyen Tai Nguyen Tai The Nguyen Tai Thi Nguyen Tam Nguyen Tam Thanh Nguyen Tam V Nguyen Tam Van Nguyen Tdan Van Nguyen Ten Tan Nguyen Thach Nguyen Thang Nguyen (2) Thanh Nguyen (5) Thanh P Nguyen Thao Nguyen Thi Bich Hang Nguyen Thiet Nguyen Tho Duke Nguyen Thoa Nguyen Thoa D Nguyen Thoa Thi Nguyen Thomas Nguyen Thu Duc Nguyen Thuong Van Nguyen Thuy Nguyen Thuyen Nguyen (2) Tinh Nguyen Tinh V Nguyen Toan Nguyen Toan Van Nguyen |

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| | | | Tommy Nguyen Tony Nguyen Tony D Nguyen Tony Si Nguyen Tra Nguyen Tracy T Nguyen Tri D Nguyen Trich Nguyen Trich Van Nguyen Tu Van Nguyen Tuan Nguyen Tuan A Nguyen Tuan H Nguyen Tung Nguyen Tuyen Duc Nguyen Van H Nguyen Van Loi Nguyen Viet Nguyen (2) Viet Van Nguyen Vinh V & Vuong V Nguyen VT Nguyen Vu Minh Nguyen Vu T Nguyen Vu Xuan Nguyen Vui Nguyen Xuong Kim Nguyen Seri Nhon Steve Anna Nichols Gary Nicholson Leonard Nixon Earl Noble Timothy Normand Candace P Norris John A Norris Kenneth L Norris Kevin Norris North Point Trawlers, Inc James E Nowell Phen Noy Conrad Nunez Jody Nunez Joseph Paul Nunez Randy Nunez Wade Joseph Nunez Dong Xuan Nynh Darryl Oberling Adam O'Blance |

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| | | | Gary S O'Brien Mark O'Brien Michele O'Brien Ocean Select Seafood, LLC Ocean Springs Seafood Market, Inc Henry & Phyllis Oglesby Michael P O'Gwynn, Sr George J & Eva G Ohmer Hazel Olander Rodney Olander Roland J Olander Russell J Olander Thomas Olander Kevin Olano Owen J Olano Shelby F Olano Malcolm D Olds, Jr Wilfred J Olinde, Jr Carey O'Neil Brad R Oracoy Eugene Orage Het Orlando Robert F Oteri Faron P Oubre SokHoms K Ourks Larry E Owens Timothy Owens Thomas Pacaccio, Jr Kenneth J Padgett Roben Palimisano Gay Ann P Palmer John W Palmer Mack Palmer Daniel P Palmisano Dwayne Palmisano, Jr Kim Palmisano Larry J Palmisano Leroy J Palmisano Robin G Palmisano Phuong Bui Pam Papa Rod, Inc Antoine C Parfait, Jr Jerry & Mary S Parfait, Sr John C Parfait Joshua K Parfait Olden G Parfait, Jr Robert C Parfait, Jr & Robert C Parfait, Sr |

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| | | | Rodney Parfait Shelton J Parfait Timmy J Parfait Clyde A Parker Franklin L Parker Paul A Parker Percy Todd Parker Daniel Duane Parks Ellery Doyle Parks, Jr Joseph D Parrett, Jr Danny Parria Gavin C Parria, Sr Gillis Parria, Jr Gillis Parria, Sr Jerry D Parria Kip G Parria & Louis J Parria, Sr Lionel J Parria, Sr Louis Parria, III Louis Parria, Jr Michael Parria Ronald Parria Ross Parria Troy M Parris Walter L Parrish Penny Passmore Shane Pate Richard Paterbaugh Roger D Patingo Paul Piazza and Son, Inc Robert Emmett Paul John Payne Stuart Payne Pearl, Inc dba Indian Ridge Shrimp Co James Curtis Pelas Corey P Pellegrin Curlynn Pellegrin James A Pellegrin, Jr Jordey Pellegrin Karl Pellegrin Karl J Pellegrin Randy Pellegrin, Sr Rodney J Pellegrin, Sr Samuel Pellegrin Troy Pellegrin Troy Pellegrin, Sr Randy Pelligrin Clyde Peltier |

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| | | | Rodney J Peltier Bartolo Pena, Jr Israel Pena Gracie Pendarvis Elaine & Milton Pennison David P Percle Allen M Perez David J Perez David P Perez Derek Perez Edward Perez, Jr Henry Perez, Jr Joe B Perez Tilden A Perez, Jr Warren A Perez, Jr Warren A Perez, Sr Wesley Perez Dale Perrin David M Perrin Edward G Perrin, Sr Errol J Perrin, Jr Jerry J Perrin Kenneth V Perrin Kevin Perrin Kline J Perrin, Sr Kurt M Perrin Michael Perrin Michael A Perrin Murphy P Perrin Nelson C Perrin, Jr Pershing J Perrin, Jr Robert Perrin Tim J Perrin Tony Perrin Nelian C Perrio, Jr William T Persohn Kirk Lynn Peshoff Alfred F Pete, Jr Alfred F Pete, Sr William A Pflieger An V Pham Anh My Pham Bob Pham Cho Pham Cindy Pham David Pham Dung Pham |

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| | | | Dung Nick Pham Duong Van Pham Gai Pham Hai Hong Pham Hiep Pham Hung Pham Hung V Pham (2) Kannin Pham Nam V Phan Pham Nhungs T Pham Osmond Pham Paul P Pham Phong-Thanh Pham Phung Pham Quoc V Pham Steve Ban Pham Thanh Pham Thinh Pham Thinh V Pham Tommy V Pham Ut Van Pham Anh Thi Phan Banh V Phan Con Van Phan Dan T Phan Hanh Van Phan Hoang Phan Johnny Phan Thong Phan Tien V Phan Toan Phan Lam Mau Phat John D Phelps Bruce Phillips Danny D Phillips Gary Phillips Harry L Phillips James C Phillips, Jr Kistrina W Phillips A W Phipps Khaolop Phonthaasa Phen Phorn Tran D Phuc Kathy Pickett Calvin Picou, Jr Gary M Picou Jennifer Picou |

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| | | | Jerome J Picou Jordan J Picou Randy Picou Ricky Picou, Sr Terry Picou Aaron Pierce Dean Pierce Elwood Pierce Imogene Pierce Stanley Pierce Taffie Boone Pierce Ivy Pierre Joseph Pierre Joseph C Pierre, Jr Paul J Pierre Ronald J Pierre Jake Pierron Patsy H & Roger D Pierron Ernie A Pinell Harry J Pinell, Jr Jody Pinell Randall James Pinell Richard J Pinnell Robert Pinnell Benton J Pitre Carol Pitre Claude A Pitre, Sr Elrod Pitre Emily B Pitre Glenn P Pitre Herbert Pitre Jeannie Pitre Leo P Pitre Robert Pitre, Jr Robin Pitre Ryan P Pitre Ted J Pitre Bonnie Pizani Craig Pizani Jane Pizani Terrill Pizani Terry M Pizani Terry M Pizani, Jr Arthur E Plaisance Burgess Plaisance Darren Plaisance Dean J Plaisance, Sr |

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| | | | Dorothy B Plaisance Dwayne Plaisance Earl J Plaisance, Jr Errance H Plaisance Evans P Plaisance Eves A Plaisance, III Gideons Plaisance Gillis S Plaisance Henry A Plaisance, Jr Jacob Plaisance Jimmie J Plaisance Joyce Plaisance Keith Plaisance Ken G Plaisance Lawrence J Plaisance Lucien Plaisance, Jr Peter Plaisance, Jr & Peter A Plaisance, Sr Richard J Plaisance Russel P Plaisance Thomas Plaisance Thomas J Plaisance Wayne P Plaisance Whitney Plaisance, III Phan Plork Glenn J Poche, Jr Glenn Poche, Sr Gerald Pockrus Russell Poiencot, Jr Charles A Poillion Gerald Polito Gary Polkey Richard R Polkey, Jr Ronald Polkey Shawn Michael Polkey Lionel J Pollet, Sr Ben Ponce Lewis B Ponce Raymond Poon Robert Pope Winford A Popham David M Poppell Ricky J Porche Port Royal Seafood, Inc Bobby & Penelope J Portier Chad Portier Corinne L Portier Robbie Portier |

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| | | | <p> Russel A Portier, Sr Hubert Edward Potter, Jr Robert D Potter Terry Wayne Pounds Clyde T Powers Dennis J Prejean Carl Price Curtis Price Edwin J Price Franklin J Price George J Price, Sr Norris J Price, Sr Steve J Price, Jr Timmy T Price Wade J Price Warren J Price Steve Prihoda Scott Primeaux Dixie J & James R Pritchard Claude J Prosperie, Jr Myron Prosperie Rollen Prout Sharonski K Prout Thou Prum Charles D Pugh, Jr Charles D Pugh, Sr Cody Pugh Deanna Pugh Donald Pugh Nickolas Pugh Alvin Punch, Jr Donald J Punch Todd M Punch Travis J Punch Emil Purse George Puvis Joe Quach Dora M Quinn R & J, Inc Charles Racca Chip Racine Albert G Ragas Gene Ragas John D Ragas Jonathan Ragas Richard A Ragas Ronda S Ragas </p> |

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| | | | Lester B Ralph Alfred J Ramirez, Jr Sylvan P Racine, Jr (Cape Romain) Randall Pinell Inc John A Randazza, Jr Rick A Randazzo Stanley D Rando Randy Boy, Inc Ellis Gerald Ranko Dwayne Rapp Leroy & Sedonia Rapp John H Rawlings, Sr Ralph E Rawlings Leo Ray William C Ray, Jr Steven Earl Raynor Kelty O Reademour Roy Reagan Patrick W Reason Paul S Reaux, Sr Craig A Reaves Laten Reaves Paul J Rebery, Sr Steve M Rebert, Jr Charles Rebstock Lance Recter, Jr Warren L Recter Yvonne Redden Leoncea B Regnier Garland Remondet, Jr Lanny Renard Edward Reno George C Reno George H Reno George T Reno Harry Reno Ben D Revell Reyes Trawlers, Inc Dwight D Reyes, Sr Marcello Reynon, Jr Randolph N Rhodes Christopher L Rhoto Frank A Ribardi Wanda Heafner Rich Irvin J Richaox, Jr Bruce J Richard David L Richard |

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| | | | Edgar J Richard James Ray Richard Melissa Richard Randall K Richard James T Richardson Daniel E Richert Earl Richo, Sr Dudley D Richoux, Jr Larry & Judy Richoux Mary A Richoux Raymond A Riego Josiah B Riffle Randall R Rigaud Jeffrey B Riggs Jackie Riley, Sr Raymond Riley Anthony J Rinkus, III Amado Rios Norris M Ripp Dan S Robert Michael A Roberts Kevin Robertson Richard S Robeson, Jr Craig J Robichaux Alvin G Robin Cary Joseph Robin Charles R Robin, III Danny J Robin Donald Robin Floyd A Robin Kenneth J Robin, Sr Ricky R Robin Johnson P Robinson, III Walter Robinson Clay Roccaforte Dominick R & Rhonda Rodi Brent J Rodrigue Carrol Rodrigue, Sr Glenn & Sonya Rodrigue Lerlene Rodrigue Reggie Rodrigue, Sr Wayne Rodrigue Barry Rodriguez Gregory Rodriguez Jesus Rodriguez Orn Roem Barry David Rogers |

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| | | | Chad Rogers Chad M Rogers Kevin Rogers Nathan J Rogers Carlton J Rojas, Sr Curtis Rojas, Sr Dennis J Rojas, Sr Gordon V Rojas Kerry D Rojas Kerry D Rojas, Jr Randy Rojas, Sr Raymond J Rojas, Jr Brad Roland Mathias C Roland Vincent Roland Theresa Rollins Wayne A Rollo Victor J Rome, IV D H Romero Kardel J Romero Norman Romero Philip J Romero Romo, Inc Glenn Ronquille Norman C Ronquille Earl Ronquillo Richard J Ronquillo Timothy Ronquillo Rosa Marie, Inc Charles R Roseburrough, Jr Dorothy Ross Edward Danny Ross, Jr Leo L Ross Robert A Ross Joseph F Roth, Jr Joseph M Roth, Jr Carolyn Rotolo Feliz Rotolol Jimmy Rouse Michael D Roussel, Jr Henry Lee Roy, Jr Chad A Rudolph Donald W Ruiz James L Ruiz Paul E Ruiz Paul R Ruiz Bentley R Russell |

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| | | | Casey Russell Daniel Russell James Russell, III Michael J Russell Nicholas M Russell Paul Russell Kenneth Rustick Adrian K Ruttley Ernest T Ruttley, Jr J T Ruttley James C Ryan, Sr Rhebb Rybiski Luther V Ryder Sabrina Marie, Inc Stewart Sadler Everett Sagnes Amanda K Saha Salina Cruz, Inc Don M Saling Sue A & Preston J Saltalamachia Lawrence Salvato, Jr Samaira, Inc Carol J Samanie Frank J Samanie Don Samsome San Dia Malcolm H Sanabe Troy P Sanamo Augustine Sanchez Jeffery A Sanchez Juan Sanchez Robert A Sanchez William Shannon Sanders Sandra G, Inc R J Sandras R J Sandras, Jr Roy R Sandrock, III Santa Maria, Inc Lindberg W Santini, Jr James Santiny Patrick Santiny Carol J Sapia, Jr Eddie J Sapia, Jr Willard Sapia Michael Rance Saturday Tran Sau Carlton J Sauce |

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| | | | Joseph C Sauce, Jr Houston J Saucier Russell Sauls Malcolm H Savage Raymond Savant Allen Savoie Brent T Savoie James Savoie Merlin F Savoie, Jr Reginald M Savoie, II Gerald Sawyer Rodney Sawyer Clifford Scarabin Michael J Scarabin Kelly Schaffer Curry A Schanbhut Lester B Schelling, Jr Michael Schexnaydre Robert Schirner, Jr Joseph J Schjatt, Sr Henry Schlindwein Paul A Schmit, Jr Paul A Schmit, Sr Victor J Schmit, Jr Ellis J Schouest, III Ellis Schouest, Jr Juston Schouest Mark Schouest Noel Schouest Robert H Schrimpf, Jr Sidney Schultz Troy A Schultz Arron J Scott Audie B Scott James E Scott, III Milford P Scott Paul Scott Sea Eagle Fisheries, Inc Sea Pearl Seafood Company, Inc Seabrook Seafood, Inc Terry G Seabrook Garry Seaman Greg Seaman Ollie L Seaman, Jr Ollie L Seaman, Sr Meng Seang Robert Craig Sehon |

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| | | | S George Sekul Morris G Sekull Charles Sellers Issac Charles Sellers Sophen Seng Adam R Serigne Elizabeth Serigne James J Serigne, III Kimmie J Serigne Lisa M Serigne Neil Serigne O'Neil N Serigne Richard J Serigne, Sr Rickey N Serigne Ronald Raymond Serigne Ronald Roch Serigne Ross Serigne Gail Serigny Wayne A Serigny Lenny Serpas, Jr William O Sessions, III William O Sessions, Jr Michael D Sevel Carl Sevin Earline Sevin Janell A Sevin Joey Sevin Nac J Sevin O'Neil J Sevin Phillip T Sevin Shane Sevin Shane Anthony Sevin Stanley J Sevin Symantha A Sevin Willis Sevin Janet A Seymour David M Shackelford Curtis E Shaffer Glynnon D Shaffer Danielle A Shay Jason Shilling L E Shilling Robert L Shugars Randy Shutt Sidney Fisheries, Inc Curtis Silver, Jr Curnis Simon |

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| | | | John Simon Leo Simon Mark Simpson Donald L Sims Alan Singley Charlie E Singley, Sr Glenn Singley Robert Joseph Singley Jace Sirgo Walter Sisung Walter Sisung, Jr Gary M Skinner, Sr Richard Skinner Skip Toomer, Inc Malcom W Skipper Martin J Skrmetta Skyla Marie Inc Brian H Smelker Brian Smith Carl R Smith, Jr Clark W Smith Danny Smith Danny M Smith, Jr Donna Smith Elmer T Smith, Jr James E Smith Margie T Smith Mark A Smith Nancy F Smith Raymond C Smith, Sr Tim Smith Walter M Smith, Jr William T Smith Ted W Smithwick Bill Smoak William W Smoak, III Erick Snell Snodgrass Phat Soeung John C Soileau, Sr Kheng Sok Nhip Sok Darren Solet Donald M Solet Joseph R Solet Raymond Solet Kim Son |

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| | | | Sam Nang Son Samay Son Thuong Cong Son Daniel Soprano William Sork Louis Soudelier, Jr Shannon Soudelier Yem Kim Sour South Carolina Shrimpers Association Barbara Kay Spier Jeffrey B Spell Mark A Spell Joel F Spellmeyers, Sr Casey Spencer Donald A Spiers Avery M Sprinkle Emery S Sprinkle Joseph Sprinkle Kenneth J Squarsich Siphon Sreiy Dana A St. Amant Mr & Mrs Jerome K St. Ann Darren St. Pierre Scott A St. Pierre Patrick Staves Chad Stechmann Karl J Stechmann Todd Stechmann Arnold D Steele, Jr Henry H Steele, III Carl L Steen James D Steen Kathy G Steen Norris J Stein, Jr Stella Mestre, Inc Adlar Stelly Carl A Stelly Chad P Stelly Delores Stelly Sandrus Stelly, Jr Sandrus Stelly, Sr Toby J Stelly Veronica G Stelly Warren Stelly Louis Stephenson Alvin Stevens Curtis D Stevens |

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| | | | Glenda Stevens Chester Stewart, Jr Derek Stewart Fred Stewart Jason F Stewart Ronald G Stewart William C Stewart Derald Stewat Thanh Stiffler Lawrence L Stipelcovich Todd J Stipelcovich Brenda Stockfett Todd Stokes Pamela Stone-Rinkus Ken Strickland Rita G Strickland James V Stuart Rex E Stutes Billy W Sulak Hong Sreng Sun Donald D Surmik Patrick Sutton Swamp Irish, Inc Keith Swindell Dennis A Sylve James L Sylve Nathan Sylve Scott Sylve Paul Sylvesr Ba Van Ta Chris Ta Yen Ta Calvin Tabb Andrew Taliancich Ivan & Srecka Taliancich Joseph M Taliancich Ho Dung Tan Hung Tan Lan T Tan Thanh Tang Robert Charles Tanner Tanya Lea, Inc Raymond Taravella Alton J Tassin Keith P Tassin Archie P Tate Terrell Tate |

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| | | | Kevin M Tauzier Doyle L Taylor Herman R Taylor Herman R Taylor, Jr J P Taylor, Jr John C Taylor Leander J Taylor, Sr Leo Taylor, Jr Nathan L Taylor Robert L Taylor Robert M Taylor Phai Teap Heng Tek Paul Templat John L Terluin, III A Scott Terrebonne Alphonse J Terrebonne Alton S Terrebonne, Jr Alton S Terrebonne, Sr Carol Terrebonne Carroll Terrebonne Chad Terrebonne, Sr Daniel J Terrebonne Donavon Terrebonne Gary J Terrebonne Jimmy Terrebonne, Jr Jimmy Terrebonne, Sr Kline A Terrebonne Lanny Terrebonne Larry F Terrebonne, Jr Scott Terrebonne Steven Terrebonne Toby J Terrebonne Chad J Terrel, Sr C Todd Terrell Brandon James Terrio Harvey J Terrio, Jr Terry Luke Corp Terry Lynn, Inc Eloise Terry Kuzma D Tesvich Texas Pack, Inc Tex-Mex Cold Storage, Inc Phuong Thach Paul Thai Thomas Thai Anthony Theriot |

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| | | | Carroll A Theriot, Jr Clay J Theriot, Jr Craig A Theriot Dean P Theriot Donnie Theriot Jeffrey C Theriot Larry J Theriot Lynn Theriot Mark A Theriot Wanda J Theriot Bart James Thibodeaux Brian A Thibodeaux Brian M Thibodeaux Calvin A Thibodeaux, Jr Fay F Thibodeaux Glenn P Thibodeaux Jared Thibodeaux Jeffrey Thibodeaux Jonathan Thibodeaux Josephine Thibodeaux Keith Thibodeaux Tony J Thibodeaux Warren J Thibodeaux Tran Thiet Thomas G, Inc Alvin Thomas Brent Thomas Dally S Thomas Janie G Thomas John Richard Thomas Kenneth Ward Thomas Monica P Thomas Ralph L Thomas, Jr Randall Thomas Robert W Thomas Willard N Thomas, Jr Gerard Thomassie Nathan A Thomassie Philip A Thomassie Ronald Thomassie Tracy J Thomassie David Thompson Edwin A Thompson George Thompson James D Thompson, Jr James Thompson, Jr John E Thompson |

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| | | | John R Thompson Randall Thompson Shawn Thompson Thong John J Thonn, Jr Victor J Thonn Robert Lee Thorpe, Jr Three Sons, Inc Charles E Thurman Tidelands Seafood Co, Inc Thanh Tiet Tiffani Claire, Inc Tikede, Inc Gene E Tilghman Billy Carl Tillet Lewis A Tillman, Jr Timothy P & Yvonne M Tillman Pat Tillotson Mark A Tinney Georgia W Tisdale Oscar Tiser Thomas C Tiser, Jr Thomas C Tiser, Sr Du Van To Fred Noel Todd Rebecca G Todd Robert C Todd Vonnice Frank Todd, Jr Gerald Tompkins, II George Toney, Jr Hai V Tong Linh C Tony Tonya Jane, Inc Christina Abbott & William Kemp Toomer Christy Toomer Frank G Toomer, Jr Jeffrey E Toomer Kenneth Toomer Lamar K Toomer Larry C & Tina Toomer David P Torrible Jason Torrible Anthony H Touchard John B Touchard, Jr Paul V Touchard, Jr Eldridge Touchet, III & Eldridge Touchet, Jr Anthony G Touns |

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| | | | Bryan Toups George A Toups Jeff Toups Jimmie J Toups Kim Toups Manuel Toups Ted Toups Tommy Toups James Toureau Melvin H Tower Harmon Lynn & Marion Brooks Townsend Hop T Tra Nguyen Tra James D Trabeau Allen A Trahan, Jr Alvin Trahan, Jr Druby Trahan Dudley Trahan Elie J Trahan Eric J Trahan James Trahan Karen C Trahan Lynn P Trahan, Sr Ricky Trahan Ronald J Trahan Tracey L Trahan Wayne Paul Trahan Allen Hai Tran Andana Trana Anh Tran (2) Anh N Tran Bay V Tran Binh Tran Ca Van Tran Cam Van Tran Chau Van Tran Chi T Tran Chu V Tran Cuorg Tran Den Tran Dien Tran Dinh Tran Dinh M Tran Duoc Tran (2) Duong Tran Eric Tran Francis Tran |

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| | | | Giang Tran Giao Tran Hien H Tran Hiep Tran Hiep Phuoc Tran Hieu Tran Hoa Tran (2) Hue T Tran Huey Tran Hung Tran Hung (Eric) Tran Hung P Tran Hun Viet Tran John Tran Johnny Dinh Tran Joseph Tran Joseph T Tran Khan Van Tran Khanh Tran Kim Chi Thi Tran Lan Tina Tran Leo Van Tran Loan Tran Long Tran Long Van Tran Luu Van Tran Ly Tran Ly Van Tran Mary Tran Mien Tran Mike Tran Minh Huu Tran My T Tran Ngoc Tran Nhieu Van Tran Nho Tran Phuc V Tran Phung Tran Quan Van Tran Quang Quang Tran Quang T Tran Qui V Tran Ran Van Tran Sarah T Tran Sau Tran Son Tran (2) Steven Tuan Tran |

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| | | | Te V Tran Than Tran Thanh Tran Theresa Tran Thi Tran Thich Van Tran Thien Tran Thien Van Tran Tri Than Trung Tran Trung Van Tran Tuan Tran Tuan Minh Tran Tuong Van Tran Tuyet Thi Tran Van T Tran Vinh Tran Vinh Q Tran (2) Vui Kim Tran James Tranan Tommy Trapp Trawler Master Alston Trawler Raindear Partnership Trawler Wylie Milam Michael Treadaway Curtis Tregle William Paul Trehoan Gary J Treuil Manuel Trevino E H Buddy Treybig, Jr Donald G Triche Hung Hoa Triea Jackie & Hiep Trieu Jasmine & Ly Trieu Lorie Trieu Tam Trieu Christopher B Trinh Philip P Trinh Triple T Enterprises, Inc Clark K Trosclair Clark P Trosclair Eugene P Trosclair James J Trosclair Jerome Trosclair Joseph & Patricia Trosclair Lori Trosclair Louis V Trosclair |

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| | | | Patricia Trosclair Randy Trosclair Ricky Trosclair Wallace Trosclair, Sr True World Foods, Inc Andre Truong Andre U Truong Be Van Truong Dac Truong Kim & Benjamin Truong Steve Truong Tham T Truong Thanh Minh Truong Timmy Truong George W Trutt, Sr Wanda Trutt Nguyen Q Tuan Huan Tuong Mervin A Turlich Calvin L Turner Tyler James John Tyre Ultima Cruz, Inc Terry R Upton Vi V Do Eddie James Vaisin J G Valentino, Jr James Valentino Christopher A & Nancy H Vallot Hugh P Valure Thien Van Do Jean T Van Gordstnoven Tung Van Huynh Lo Van Ngo Dung Van Nguyen Irving Van Nguyen Nho Van Nguyen Roe Van Nguyen Thanh Van Nguyen Trung Van Nguyen Vang Van Nguyen Thai Van Pham Tu Van Phan Ba Van Ta Hung Van Tran Miel Van Tran Nhanh Van Tran |

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| | | | Phu Van Tran Nhut Van Truong Them Van Truong Hai Van Vo Cang To Van Long Van Nguyen Day Van Than Van Tran Phu Van Vui Van Kathy D & Malcolm Vanacor Bobbie Vanicor Matthew T VanMeter William Earl VanMeter Ba Van-Ta Randy L Varney Raymond S Vath William E Veasel, III Brien J Vegas Percy J Vegas Terry J Vegas Terry J Vegas, Jr Terry Vegas, Jr Peter Vela Aaron Verdin Av Verdin Bradley J Verdin Brent A Verdin Charles A Verdin Charles E Verdin Coy P Verdin Curtis A Verdin, Jr Delphine & Jeffrey Verdin Diana & Joseph Verdin Ebro W Verdin Eric P Verdin Ernest Joseph Verdin, Sr Jeff C Verdin Jessie J Verdin John P Verdin Joseph A Verdin, Jr Joseph Cleveland Verdin Joseph S Verdin Justilien G Verdin Matthew W Verdin, Sr Michel A Verdin Paul E Verdin |

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| | | | Perry Anthony Verdin Rodney Verdin Rodney P Verdin (2) Skylar Verdin Timmie Verdin Toby Verdin Tommy P Verdin Tony J Verdin Vincent Verdin Viness Verdin, Jr Wallace P Verdin Webb A Verdin Wesley D Verdin, Sr Jimmy R Verdine Joseph Thomas Vermeulen Darren L Verret Donald J Verret Ernest J Verret, Sr James A Verret Jean E Verret Jimmy J Verret, Sr Johnny R Verret Joseph L Verret Paul L Verret Ronald P Verret Joseph A Versagg Versaggi Shrimp Corp Brent J Vicknair, Sr Duane P Vicknair Henry Dale Vicknair Ricky A Vicknair Corey Vidrine Kathi & Bill Vidrine Richard Vidrine Vietnamese-American Commerical Fisherman's Union William F Vila Villers Seafood Co, Inc Vincent Piazza Jr & Sons Seafood, Inc Gage T Vincent Gene Vincent Gene B Vincent Robert N Vincent Charles E Vise, III Barry A Vizier Christopher Vizier Cloris J Vizier, III Douglas M Vizier |

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| | | | Tommie Vizier, Jr Anh M Vo Chin Van Vo Dam Vo Dan M Vo Dany Vo Day V Vo Duong V Vo Dustin Vo Hanh Xuan Vo Hien Van Vo Hoang The Vo Hong Vo Hung Thanh Vo Huy K Vo Johnny Vo Kent Vo (2) Man Vo Mark Van Vo Minh Hung Vo Minh Ngoc Vo Minh Ray Vo Mong V Vo My Dung Thi Vo My Lynn Vo Nga Vo Nhon Tai Vo Quang Minh Vo Sang M Vo Sanh M Vo Song V Vo TA Vo Tan Thanh Vo Thanh Van Vo Tom Vo Tong Ba Vo Trao Van Vo Truong Vo Van Vo Van Van Vo Benjamin S Vodopija James L Vogt Eddie J Voisin Jamie Voison Harold L Von Harten Richard Vongrith Kirk Vossler |

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| | | | Hung Vu John H Vu Khanh Vu Khanh H Vu Quan Quac Vu Sac Vu Sean Vu Tam Vu Thiem Ngoc Vu Thuy Vu Tom Vu Tu Viet Vu W H Blanchard, Inc W L & O, Inc Calvin J Wade, Jr Gerard Wade David M Waguespack, Sr Randy P Waguespack, II Vernon Wainwright Jerry Walker Rogers H Walker Dennis Wallace Edward Wallace John Wallace Trevis L Wallace Jack Waller, Jr John M Waller Craig A Wallis Keith Wallis Samuel G Walters Marion M Walton Edward Joseph Wannage Fred Wannage, Jr Frederick W Wannage, Sr Clarence Ward, Jr Clifford Washington John Emile Washington, III Kevin Washington Louis N Washington Cecil K Wattigney, Jr Michael Wattigney Brandon A Watts Warren Watts Waymaker, Inc We Three, Inc Bobby Webb Bobby N Webb |

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| | | | Donald Webre Dudley A Webre Harold Webster Webster's Inc Don Franklin Weeks Weems Bros Seafood Co Laddie E Weems Barry C Weinstein Rodney Weiskopf Todd Weiskopf Amos J Welch Douglas E Wells Stephen Ray Wells Steven W Wendling Charles W Wescovich Wesley Daryl Wescovich West Point Trawlers, Inc William J Whatley David L Whit Allen White, Sr Charles White Gary Farrell White James Hugh White Perry J White Raymond White Robert White, Sr John Wicher Chad M Wiggins, Sr Ernest Wiggins Harry L Wiggins Matthew Wiggins Gerald Anthony Wilbur Robert Wilcox Alfred Adam Wiles Glen Gilbert Wiles Sonny Joel Wiles, Sr Gene D & Judith Wilkerson William Riley Wilkinson William E Smith Jr, Inc Allen Williams, Jr Andrew Williams B Dean Williams Clyde L Williams Dale A Williams Emmett J Williams Herman J Williams, Jr J T Williams |

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| | | | John A Williams Johnny Paul Williams Joseph H Williams Kirk Williams Leopold A Williams Mark A Williams Mary Ann C & Ronnie Williams Melissa A Williams Nina Williams Parish Williams Roberto Williams Scott A Williams Steven Williams Thomas D Williams Richard L Williamson, Sr Derek C Willyard Donald R Willyard Alward Wilson Hosea Wilson Joe R Wilson Jonathan Wilson Katherine Wilson Allen Wiltz Melvin Wing Allen Wiseman Clarence J Wiseman, Jr Jean Wiseman Joseph A Wiseman Michael T Wiseman, Jr Michael T Wiseman, Sr (2) Charles Wolfe Woods Fisheries, Inc Curtis Wright Leonard Wright Randy D Wright Douglas Yeamans Neil Yeamans Ronnie Yeamans Peon Yoeuth Harold Yopp Milton Thomas Yopp James Young Taing Young Willie Young Patricia D Yow Richard C Yow Anthony V Zanca, Sr |

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| | | | Ashley A Zar Carl J Zar John Zar, III Steve Zar Steven Zar Troy A Zar John S Zerinque, Jr Zirlott Trawlers, Inc Curtis Zirlott, Jr Jason D Zirlott Jeremy Zirlott Kimberly & Jeremy Zirlott Milton Zirlott Perry Zirlott Rosa H Zirlott Brian C Zito Nguyen Q Zuan Michael A Zuvich, Jr |
| A-533-840 | 731-TA-1066 | Certain Frozen or Canned Warmwater Shrimp and Prawns/India | A. J. Horizon, Inc Al J Abadie Anthony Abadie Charles Abner Steven Abraham Ace of Trade, LLC Dale J Ackerman Darryl L Acosta Jerry J Acosta, Sr Leonard C Acosta Wilson Acosta, Sr Ad Hoc Shrimp Trade Action Committee Denise T Adam Michael A Adam Richard B Adam, Jr Sherry P Adam William E Adam Alcide J Adams, Jr Dudley Adams Elizabeth Adams Ervin Adams George E Adams Hursy J Adams James Arthur Adams Kelly Adams Lawrence J Adams, Jr Randy Adams Ritchie Adams Steven A Adams |

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| | | | Ted J Adams Tim Adams Whitney P Adams, Jr Ralph Agoff Ricardo Aguilar Roddy G Aguillard Don Ray Alario Nat Alario Pete J Alario Timmy Alario Craig J Albert Junior J Albert Aldebran, Inc Everett O Alexander Benny J Alexie Corkey A Alexie Dolphy Alexie Felix Alexie, Jr Gwendolyn Alexie John J Alexie John V Alexie Larry J Alexie, Sr Larry Alexie, Jr Vincent L Alexie, Jr Barry S Alexis Craig W Alexis Michael & Monique Alexis Anthony E Alfonso, Jr Jesse Alfonso Nicholas Alfonso Paul A Alfonso Randy Alfonso Terry S Alfonso, Jr Vernon Alfonso, Jr Yvette Alfonso Angelo A Alimia, Jr Dean J Allemand Annie Allen Carolyn Sue Allen Jackie & Robin Allen Wayne Allen Wilbur L Allen Willie J Allen, III Willie Allen, Sr John Alphonso Alysia Renee, Inc Leo J Ancalade |

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| | | | Claudene Ancar Jerry T Ancar Joe C Ancar Menlin Ancar, Sr William Ancar, Sr Gerald Ray Ancelet Andrew D Anderson Ernest W Anderson Jerry Anderson John Anderson Lynwood Anderson Melinda Rene Anderson Michael Brian Anderson Ronald L Anderson, Jr Ronald L Anderson, Sr Ronnie Anderson, Jr Miguel Andonie Anthony R Andrews Janice M Andry Rodney S Andry Angel Seafood, Inc Angela Marie, Inc Louis Angelle Eugene Anglada, Sr Anna Grace LLC Annie Thornton, Inc Lester Ansardi Darren Anselmi Apalachee Girl, Inc Aparicio Trawlers Inc dba Marcosa Georgia P Arabie Joseph Arabie Craig J Arcement Donald Arcement, Sr Lester C Arcement Mathew J Arceneaux Michael K Arceneaux Christopher J Areas John Armbruster, III Paula D Armbruster Jude Armstrong, Jr George Arnesen Lonnie L Arnold, Jr Joseph T Arnona Robert Arnondin Floyd Assavedo Gregory Kenneth Atwood |

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| | | | Kenny Atwood Dewey F Aucoin Earl Aucoin Laine A Aucoin Perry J Aucoin Dennis Austin Dennis J Austin Brice Authement Craig L Authement Dion J Authement Dion S Authement Gordon Authement Lance M Authement Larry Authement Larry Authement, Sr Roger J Authement Sterling P Authement Bobby Autin Bruce J Autin Kenneth D Autin Marvin J Autin Paul F Autin, Jr Roy Autin Albert J Avenel, Jr Conny Babb Brad Babin Joey L Babin Klint Babin Kirby Babineaux Vicki Babineaux Ke Van Bach Reo Long Bach Benny Backman Todd Badeaux Dewayne Baham Albert Bailey Antoine Bailey, III David B Bailey, Sr Don Bailey Clarence Baker Donald Earl Baker James Baker Kenneth Baker Antonio Balderas Richard Prentiss Baldwin Albert Ballard Barbara A Ballas |

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| | | | Charles J Ballas John F Baltz Bama Sea Products, Inc John Ban Bruce K Bang Barbara Brooks, Inc Joe W Barbaree Mark A Barbe Louie W Barber, Sr Percy T Barbier Raymond A Barbour James E Bargainear George A Barisich Barisich, Inc Joseph J Barisich Nathan Barnhill Clarence Barrios (2) Corbert J Barrios Corbert M Barrios David Barrios John Barrios Shane James Barrios Angela Gail Barrois Dana A Barrois Tracy James Barrois Wendell Jude Barrois, Jr Keith Barthe, Sr Allen M Barthelemy John A Barthelemy Rene T Barthelemy, Sr Walter A Barthelemy, Jr Mitchell Bartholomew Neil W Bartholomew Thomas E Bartholomew Wanda C Bartholomew Donald J Basse, Sr Mark Bates Ted Bates, Jr Vernan Bates, Jr Louis Battle Drake J Baudoin Murphy A Baudoin Stephen Baudouin Gary Bauer Glen P Baye Bayou Shrimp Processors, Inc Charles A Bean |

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| | | | Glenn J Becnel Kent Becnel Carol F Beecher Ronald Beechler James E Bell Ronald A Bell Arnold Bellanger Clifton Bellanger Scott J Bellanger Derrell M Belsome Karl M Belsome Gary Lynn Bennett James W Bennett, Jr Louis Bennett Francis Benoit Nicholas L Benoit Paula T & Tenna J Benoit, Jr Walter T Benton Ray W Berger Alfred S Bergeron Jeff Bergeron Nolan A Bergeron Ulysses J Bergeron Lamont L Bernard Mark J Berner Gerard J Berthelot, Sr James Berthelot Myron J Berthelot Jeri C Bertrand Best Sea-Pack of Texas, Inc Beth Lomonte, Inc Keith J Beverung Raymond W Bianchini Leo E Bickham Charles Bienvenu Big Grapes, Inc Jerry W Biggs, Sr Richard Billington Alfredia Billiot Arthur Billiot Aubrey & Betty Billiot Barell J Billiot Brian K Billiot Cassidy Billiot Charles Billiot, Sr Chris J Billiot, Sr E J E Billiot |

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| | | | Earl W Billiot, Sr Ecton L Billiot Emary Billiot Forest Billiot, Jr Gerald Billiot Harold J Billiot Jacco A Billiot Jake A Billiot James Billiot, Jr Joseph S Billiot, Jr Laurence V Billiot Leonard F Billiot, Jr Lisa Billiot Mary L Billiot Paul J Billiot, Sr Shirley L Billiot Steve M Billiot Thomas Adam Billiot Thomas Billiot, Sr Wenceslaus Billiot, Jr Alexander J Billiott Yale Biron William C Black Larry E Blackston Albert Blanchard Andrew J Blanchard Billy J Blanchard Cyrus Blanchard Daniel A Blanchard Dean Blanchard Douglas Blanchard, Jr Dwayne Blanchard Elgin Blanchard Gilbert Blanchard Jade Blanchard John F Blanchard, Jr Katie Blanchard Matt Joseph Blanchard Michael Blanchard Quentin T Blanchard Quentin Timothy Blanchard Roger Blanchard, Sr Quyen Bland Roy A Blouin Jack Blume, Jr Raymond Blunet, Sr Arturo Bodden |

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| | | | Jasper Bodden Darren W Bolotte Larry F Bolton Bon Secour Boats, Inc Bon Secour Fisheries, Inc Paul J Bondi Jimmy J Bonvillain Donna M Bonvillian Clifton Felix Boone Donald F (Ricky) Boone, III Donald F Boone, II Gregory T Boone Noriss P Boquet, Jr Wilfred Boquet, Jr Glenn Bordelon, Sr James P Bordelon Shelby P Bordelon Benny Borden Crystal & Edward Borne Dina L Borne Edward Borne, Jr Edward Borne, Sr Hubert L Bosarge Robert Bosarge Durel A Boudlauch, Jr Larry Terrell Boudoin Nathan Boudoin Brent J Boudreaux Elvin J Boudreaux, III James C Boudreaux, Jr James N Boudreaux Jessie Boudreaux Leroy A Boudreaux Mark Boudreaux Paul Boudreaux, Sr Richard D Boudreaux Ronald Boudreaux, Sr Sally Boudreaux Veronica Boudreaux Dwayne Boudwin Jewel James Boudwin, Sr Wayne Boudwin Norman Bouise Irwin J Boulet, Jr Debra Boullion Allen T Bourg Benny Bourg |

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| | | | Chad J Bourg Channon Bourg Chris Bourg Douglas Bourg Glenn A Bourg Jearmie Bourg, Sr Kent A Bourg Mark Bourg Nolan P Bourg Ricky J Bourg Albert P Bourgeois Brian J Bourgeois, Jr Daniel Bourgeois Dwayne Bourgeois Jake Bourgeois Johnny M Bourgeois Johnny M Bourgeois, Jr Leon A Bourgeois Louis A Bourgeois Merrie E Bourgeois Randy P Bourgeois Reed Bourgeois Webley Bourgeois Chris Bourn Murphy Paul Bourque Ray Bourque Duvic Bousegard, Jr Manuel J Boutte, Jr Colbert A Bouvier, II Dale J Bouzigard Edgar J Bouzigard, III Eeris Bouzigard Harold Bowers Tommy Bowers Danny Boy David E Boyd, Sr Elbert Boyd Darren L Boykin Thomas C Boykin James Bradley Brian Brady Kay Brandhurst Ray E Brandhurst, Sr David G Braneff William P Brannan Donald James Branom, Jr James M Braud |

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| | | | Frank J Brazan Irvin F Breaud, Jr Barbara & Shelby Breaux Brian J Breaux Charlie M Breaux Clifford Breaux Colin E Breaux Daniel Breaux, Jr Larry J Breaux Robert J Breaux, Jr Robert F Briscoe, Jr L D Britsch, Jr Dwayne E Broussard Eric Broussard Keith Broussard Larry Broussard Mark A Broussard Roger David Broussard Roger R Broussard Steve P Broussard Cindy B Brown Colleen Brown Donald G Brown John W Brown Paul R Brown Toby H Brown Adam J Bruce Bob R Bruce Daniel M Bruce, Sr Emelda L Bruce Gary J Bruce, Sr James P Bruce Lester J Bruce, Jr Margie L Bruce Mary P Bruce Nathan Bruce Robert Bruce Russell Bruce Peter Brudnock, Sr Elton J Brunet Joseph Brunet Joseph A Brunet Levy J Brunet, Jr Bryan Fishermens' Co-op, Inc David N Bryan Ina Fay V Bryant Jack D Bryant, Sr |

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| | | | James L Bryant Bubba Daniels, Inc Ernest Buford Ben Bui Dich Bui Dung Thi Bui Huong T Bui Ngan Bui Nhuan Bui Nuoi Van Bui Tai Bui Tieu Bui Tommy Bui Bumble Bee Seafoods, LLC Belvina (Kenneth) Bundy Kenneth Bundy, Sr Nicky Bundy Ronald J Bundy John Buquet, Jr Clayton M Buras Leander Buras Robert M Buras, Jr Waylon J Buras Elliott C Burlett John C Burlett, Jr Burnell Trawlers, Inc Charles R Burnell Deanna Lea Burnham Stuart E Burns Lindsey Hilton Burroughs, Jr Ronnie Burton Hardy E Busby Tex H Busby Robert A Bush Tyler Bussey Dorothy Butcher Rocky J Butcher Albert A Butler Aline Butler Johnny Bychurch Johnny Bychurch, Jr Alex Cabanilla Jose Santos Caboz Anthony Cacioppo, Jr Mae Quick Cadiere Ronald Cadiere Jack Cahill |

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| | | | Stanford Caillouet, Jr Jerry Lane Caison, Jr Stephen P Calcagno, Sr John S Calderone Gene P Callahan, Sr Michael J Callahan Russell Callahan Ann Callais Franklin D Callais Gary D Callais Michael Callais (2) Sandy Callais Terrence Callais Anna Camardelle Chris J Camardelle David Camardelle Edward J Camardelle, III Edward Camardelle, Jr Harris A Camardelle Knowles Camardelle Noel T Camardelle Tilman Camardelle, Jr John A Caminita, III Donald Paul Campo Kevin Campo Nicholas J Campo Roy Campo Roy Campo, Sr Ernest M Camus, Jr Carl Canova Alvin Cantrelle Eugene J Cantrelle Otis A Cantrelle Otis Cantrelle, Jr Phillip A Cantrelle Tate Cantrelle Robert Joseph Cauty Binh Cao Quang Billy Viet Cao Dan Dien Cao Dung Van Cao Heip A Cao Huyen Linh Cao Nghia Thi Cao Si-Van Cao Thanh Kim Cao Tuong Van Cao |

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| | | | Capt Chance, Inc Capt. Aaron Capt. Bean (Richard A Ragas) Capt. Bubba, Inc Capt. Carlos Trawlers, Inc Capt. Craig, Inc. Capt. Dickie V, Inc Capt. Doug Capt. GDA, Inc Capt. JDL, Inc Capt. Jimmy Inc Capt. Ken Capt. Seth, Inc Capt. Wally, Inc Captain Arnulfo, Inc Jack G Carinhas, Jr Gregory Carlos Irvin Carlos Carly Sue, Inc David J Carmadelle Rudy J Carmadelle Larry G Carmandelle Carolina Sea Foods, Inc Anthony T Carrere, Jr Larry J Carrier Carson & Co, Inc Michael Caruso David W Casanova, Sr Alphonse G Cassagne, III Alphonse G Cassagne, IV Joseph Casso Gilbert Castelin Sharon Castelin Raul L Castellanos John A Castelluccio, Jr Joshua Castille Adolph Caulfield, Jr Hope Caulfield James & Jean Caulfield Salvador Cepriano Julius W Cerdas, Jr Maria Cerise CF Gollott and Son Seafood, Inc John Chabert Dean J Chaisson Henry Chaisson Vincent A Chaisson |

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| | | | Thomas B Chaix, III Brian Champagne Harold P Champagne Kenton Champagne Leroy Champagne Lori Champagne Timmy D Champagne Willard Champagne Kim J Champlin Jason Chance Jeff Chancey Arturo Chapa Robert G Chaplin, Sr Saxby S Chaplin Charlee Girl Christopher Charles Charlotte Maier, Inc Allen J Charpentier Alvin Charpentier Daniel J Charpentier Lawrence Charpentier Linton Charpentier Melanie Charpentier Murphy Charpentier, Jr Robert J Charpentier Michelle Chartier Minh Huu Chau Anthony Chauvin Anthony P Chauvin, Jr Carey M Chauvin David James Chauvin James E Chauvin Kimberly Kay Chauvin Alton Bruce Cheeks Ricky Chenier Alan Cheramie Alan J Cheramie, Jr Alton J Cheramie Berwick Cheramie, Jr Berwick Cheramie, Sr Daniel James Cheramie, Sr Danny Cheramie David J Cheramie David P Cheramie Dickey & Robbie Cheramie Donald Cheramie Enola & Murphy J Cheramie |

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| | | | Flint Cheramie Harold L Cheramie Harry Cheramie, Jr Harry Cheramie, Sr Harvey Cheramie, Jr Harvey Cheramie, Sr Henry J Cheramie, Sr James Cheramie James A Cheramie Jody P Cheramie Joey J Cheramie Johnny Cheramie Joseph Cheramie Lee Allen Cheramie Linton J Cheramie Mark A Cheramie Murphy J Cheramie Nathan A Cheramie, Sr Neddy P Cheramie Nicky J Cheramie Ojess M Cheramie Paris P Cheramie Robbie Cheramie Rodney E Cheramie, Jr Ronald Cheramie Roy Cheramie Roy A Cheramie Sally K Cheramie Terry J Cheramie Timmy Cheramie Tina Cheramie Todd Cheramie Tommy Cheramie Wayne A Cheramie Wayne F Cheramie, Sr Wayne J Cheramie Webb Cheramie, Jr Mitch Chevalier Thomas J Chew Jody J Chiasson Manton P Chiasson, Jr Gordon Childress Arthur Chisolm Henry Chisolm, Jr David Christen, Jr Vernon Christen Long V Chung |

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| | | | Ngo V Chuong Vance Ciaccio Bozidar Cibilic John Cieutat Albino Cisneros James M Clark Jenings Clark Mark A Clark Ricky L Clark Michael A Cobb Jimmy Cochran Ernest Coleman Freddie Coleman, Jr Rodney A Colletti Ervin J Collier Wade Collier Bernard J Collins Bruce J Collins, Jr Donald Collins Earline Collins Eddie F Collins, Jr Jack Collins (2) Julius Collins Lawson Bruce Collins, Sr Lindy S Collins, Jr Logan A Collins, Jr Robert Collins Timmy P Collins Vendon Collins, Jr Wilbert Collins, Jr Woodrow Collins Chris & Michelle Colson Michael J Comardelle Allen J Comeaux Curtis J Compeaux Gary P Compeaux Harris Compeaux Jody Cone Van Phan Cong Mario Contreras Edwin A Cook, Jr Edwin A Cook, Sr Joshua Cook Larry R Cook, Sr Theodore D Cook Ernest Neal Cooksey Acy J Cooper, III |

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| | | | Acy J Cooper, Jr Acy Cooper, Sr Christopher W Cooper Jon C Cooper Marla F Cooper Vincent J Cooper John R Copeman Roger Cornwall Brenda M & Daniel Cortez Cathy & Curtis Cortez Edgar Cortez Keith J Cortez Leslie J Cortez Robert K Cosse Clayton Coston John Gordon Cotsovolos Allen J Coulon, Jr Allen J Coulon, Sr Amy M Coulon Cleveland F & Earline N Coulon Darrin M Coulon Don Coulon Ellis Coulon, Jr Country, Inc Ronnie Courville Michael Dudley Cowdrey Michael Nelson Cowdrey Michael T Crain Brian D Crawford Steven J Crawford Quentin Creamer Todd A Credeur, Sr Tony J Credeur Carlton Creppel Catherine Creppel Craig Creppel Freddy Creppel Isadore Creppel, Jr Julinne G Creppel, III Kenneth Creppel (2) Nathan J Creppel, Jr Michael P Creppell Charles J Cristina Sterling James Crochet Tony J Crochet Benjy J Crosby Dariene Crosby |

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| | | | Leonard W Crosby, Jr Ted J Crosby Thomas Crosby Lonnie Crum Melinda Cabbage Anthony J Cuccia Anthony J Cuccia, Jr Kevin Cuccia Bryan E Cumbie Hung Cuong Mike Cure Keith J Curole Kevin P & Margaret B Curole Willie P Curole, Jr Custom Pack, Inc Jason Cutrer T Cvitanovich D.G. & R.C., Inc D.S.L & R., Inc DaHa, Inc/Cat'Sass Alfred Daigle David J Daigle E J Daigle Glenn Daigle Jamie J Daigle Jason Daigle Kirk Daigle Leonard P Daigle Lloyd Daigle Louis J Daigle Melanie Daigle Michael & JoAnne Daigle Michael J Daigle Nona & Cleve Daigle Jeff Daisy Cleveland L Dale David Dang Khang Dang Loan Thi Dang Minh Dang Tao Kevin Dang Thang Duc Dang Thien Van Dang Thuy Dang Van D Dang David Daniels Henry Daniels |

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| | | | Leslie Daniels Albert Danos, Sr James A Danos Jared Danos Oliver Danos Oliver J Danos Ricky P Danos Rodney Danos Timothy A Danos Debi d'Antignac Jack d'Antignac Archie A Dantin Mark S Dantin, Sr Stephen Dantin, Jr Paul Dao Vang Dao Chrysti Dao-Nguyen Albert L Darda, Jr Gertrude & Herbert Darda J C Darda Jeremy & Tammy Darda Trudy Darda Alvin Dardar Basil Dardar, Sr Basile J Dardar Cindy Dardar David Dardar Donald S Dardar Edison S Dardar, Sr Gayle & Gilbert Dardar Isadore J Dardar, Jr Jacqueline Dardar Jonathan M Dardar Lanny Dardar Larry J Dardar Mary Dardar Neal A Dardar Norbert Dardar Percy B Dardar Rose Dardar Rusty J Dardar Samuel Dardar Summersgill Dardar Terry & Patti V Dardar Toney M Dardar, Jr Toney Dardar, Sr Stephen Dargis |

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| | | | Louis Dassau David Gollott Sfd Inc Phillip J David, Jr Cliff Davis Daniel A Davis Danny A Davis James Davis John W Davis Joseph D Davis Michael Steven Davis Ronald B Davis William T Davis, Jr William Theron Davis Ilene L Dean John N Dean Stephen Dean Deau Nook Brian K DeBarge Thomas D & Sherry DeBarge Debbe Anne, Inc John Decoursey Walter Dedon Deep Sea Foods, Inc/Jubilee Foods, Inc Darryl Deere David E Deere Dennis H Deere Robin & Tracie L Defelice Ashton J DeHart, Sr Bernard J Dehart Blair Dehart Clevis Dehart Clevis Dehart, Jr Curtis P DeHart, Sr Eura Dehart, Sr Ferrell Dehart Leonard M Dehart David E DeHillier Chris N DeJean, Jr & Chris N DeJean, Sr Bonnie D Dekemel WM Dekemel, Jr Avery T DelaCruz Ten Chie & Paul Delande Michael J Delatte, Sr Kip M Delaune Thomas J Delaune Todd J Delaune Carroll A Delcambre |

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| | | | Jesse Delgado Carlton & Lorene Delino Stephen W Deloach, Jr Herman J Demoll, Jr Herman J Demoll, Sr James C Demoll, Jr Ralph Demoll Robert C Demoll Terry R Demoll Freddy Demolle Otis Demolle Fred Dennis Barbara H Deroche Caghe Derouen Rodney Deshotel David DeSilvey Byron J Despaux Byron J Despaux, Jr Glen A Despaux Ken Despaux Kerry Despaux Suzanne Despaux David E Detillier Bobby C DeVaney, Jr Wesley Frank Dickey Vu Diep Anita & Corbert Dinger, Sr Eric Dinger Mark H Dingler Chau T Dinh Khai Duc Dinh Lien Dinh Toan Dihn Ernest Dion Paul A Dion Thomas Autry Dion Paul A Disalvo Robert E Dismuke, Sr Dominick Ditcharo, III David Dixon Cuong V Do Dan C Do Dung V Do Hai Van Do Hieu Do Hong Ky Do Hung Do |

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| | | | Hung V Do Johnny Do Kiet Van Do Ky Quoc Do Lam Do Liet Van Do Luong Van Do Minh Do Minh Van Do Nghiep Van Do Ta Do (2) Ta Phon Do Thanh V Do Theo V Do Tinh Do Tinh A Do Tri Do Joseph Doan Minh Doan & Liem Doan Ngoc Doan Darryl Domangue Emile Domangue Mary Domangue Michael Domangue Paul Domangue Ranzell Domangue, Sr Stephen Domangue Westley Domangue Carolyn Domingo Amy R Dominique Gerald Dominique Ernest N Donini David C Donnelly Holly M Donohue Donovan Tien I & II Denise F Dooley Craig B Dopson Presley J Dore Preston J Dore, Jr Janthan C Dorr, Jr Paul J Doucet, Sr Colleen Downey Robert Lee Doxey, Sr Ruben A & William L Doxey John T Doyle Dragnet, Inc John Drawdy |

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| | | | Bruce W Drury, Jr Bruce W Drury, Sr Bryant J Drury Eric S Drury Helen M Drury Jeff Drury, III Kevin Drury Kevin S Drury, Sr Steve R Drury Steven J Drury James F Dubberly (3) James Michael Dubberly James Michael Dubberly, Jr John J Dubberly Euris A Dubois John D Dubois, Jr Lonnie J Dubois Louuie J Dubois Kermit Paul Duck Anthony Dudenhefer Connie S Dudenhefer Eugene A Dudenhefer Milton J Dudenhefer, Jr Brad J Duet Darrel A Duet Guy Duet Jace J Duet Jay Duet John P Duet Larson Duet Ramie Duet Raymond J Duet Tammy B Duet Tyrone Duet Archie Dufrene Charles Dufrene Curt F Dufrene Elson A Dufrene Eric Dufrene Eric F Dufrene, Jr LLC Golden J Dufrene Jeremy M Dufrene Juliette B & Scottie M Dufrene Leroy J Dufrene Milton Dufrene Ronald A Dufrene, Jr Ronald A Dufrene, Sr |

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| | | | Toby Dufrene Edward A Dugar, II Donald John Dugas Edward A Dugas, III Henri J Dugas, IV Greta Duhe Dunamis Towing, Inc Faye E & Gary Duncan Loyde C Duncan Bob Dunn Billy Duong Chamroeun Duong E M Duong Ho T Duong Kong Duong Mau Duong Blair P Duplantis David Duplantis Frankie J Duplantis Maria Duplantis Teddy Duplantis Wedgir Duplantis, Jr Anthony James Duplessis, Sr Bonnie S Duplessis Clarence R Duplessis Brandon P Dupre Cecil Dupre David A Dupre Davis J Dupre, Jr Easton J Dupre Jimmie Dupre, Sr Linward P Dupre Mary L Dupre Michael J Dupre Michael J Dupre, Jr Randall P Dupre Richard A Dupre Rudy P Dupre Ryan A Dupre Tony J Dupre Troy A Dupre Bryan Dupree Derrick Dupree Malcolm J Dupree, Sr Clayton J Dupuis Walter Y Durand Melvn A Dusang |

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| | | | Derval H Duval, Sr Wayne Duval Nadine D Dyer Bert L Dykes Adley L Dyson, Jr Adley L Dyson, Sr Amy Dyson Casandra Dyson Clarence Dyson, III Jimmy L Dyson, Sr Jimmy Dyson, Jr Kathleen Dyson Maricela Dyson Phillip Dyson, II Phillip Dyson, Sr William Dyson Bill Eckerd Angela B Edens Donnie Edens Jeremy Donald Edens Nancy M Edens Steven L Edens Timothy Dale Edens Daniel Edgar Joey Edgar Roosevelt Edgerson Edward Garcia Trawlers Tommy Edwards Jody D Ellerbee David Ellison, Jr Elmira Pflueckhahn, Inc Alfred Encalade, Jr Anthony T Encalade Cary Encalade Joshua C Encalade Stanley A Encalade Joseph L Enclade Michael Enclade & Jeannie Pitre Rodney J Enclade Alfred Englade A L Ennis, Jr Enterprise Inc Grant Erickson Carroll Erlinger Gary R Erlinger Keith A Eschete Benny A Esfeller |

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| | | | Kenneth Eskine Ernest J Espunge David James Estaves, Sr Ricky Joseph Estaves Allen J Estay Wayne Estay Anthony E Esteves, Jr Orestes Estrada Emile J Evans, Jr Kevin J Evans Lester Evans Lester J Evans, Jr Tracey J Evans, Sr George C Everson Brian P Eymard, Sr Jervis J & Carolyn B Eymard Morris C Fabiano Mark Fabra Alton Fabre, Jr Ernest J & Peggy B Fabre Kelly V Fabre Sheron Fabre Terry A Fabre Wayne M Fabre Mitchell J Falcon Barney Falgout Jerry P Falgout Leroy J Falgout Timothy J Falgout Barry Fanguy Thomas J Farris Christopher J Fasone William J Fasone Lester J Faulk Thomas J Favalaro Michael Favre, Jr Jeffery Fazende Thomas Fazende Thomas G Fazende Anthony Fazzio Douglas Fazzio Maxine & Steve Fazzio E J Felarise Wayne A Felarise, Sr Laudelino Fernandez Audrey B Ferrara Dominick Ficarino, Jr |

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| | | | Bryan Fields Anthony F Fillinich Anthony Fillinich, Sr Jack Fillinich Penny Fincher William Fincher Burton E Fisch Kelly Fisher Kirk Fisher Kirk A Fisher Fisherman's Reef Shrimp Co Adam Fitch Hanson Fitch Burnell Fitzgerald Kirk Fitzgerald Kirk D Fitzgerald Ricky J Fitzgerald, Jr John M Fleming Meigs F Fleming Mike Fleming Dana Flick Helena D Flores Thomas Flores Steve W Flowers Vincent F Flowers David M & Mary Folse Heath Folse Ronald B Folse Francis Fonseca, Sr William S Fontaine Peggy D Fontenot Judy Ford Warren Wayne Ford Ralph Foreman, Jr Alva J Foret Billy J Foret Brent J Foret Glenn Foret Houston Foret Lovelace A Foret, Sr Loveless A Foret, Jr Mark M Foret Patricia C Foret David P Forrest John Forsythe Fortune Shrimp Co, Inc Michael A Fortune |

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| | | | George J France Albert Francis James K Franklin Anthony Frankovich Michael Franks Richard Wayne Frauenberger David J Frazier David M Frazier James Frazier Michael Frazier Davis Frederick Johnnie & Jeannie Frederick Michael Frederick Freedom Fishing, Inc Arthur D Freeman Darrel P Freeman, Sr Larry Scott Freeman Charles P Frelich Floyd J Frelich Kent Frelich Doug Frerics Albert R Frerks, Jr Darell Frickey Darren Frickey Dirk I Frickey Eric J Frickey Harry J Frickey, Jr Jimmy Frickey Rickey J Frickey Westley Frickey Brad Friloux Jeanette M Frisella Jerome A Frisella, Jr Wade P Fruge G & O Shrimp Co, Inc G. R. LeBlanc Trawlers, Inc James Gadson Dwayne Gaines Christine Gala Jess J Galjour Reed Galjour John W Gallardo Anthony Galliano Horace J Galliano Joseph Galliano, Sr Logan J Galliano Lynne L Galliano |

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| | | | Moise Galliano, Jr A T Galloway, Jr Giles F Galt Luvencie J Gambarella Kristine Ganoi Ana M Garcia Anthony Garcia Edward Garcia Joseph Garcia Kenneth Garcia Larry S Garner Dalton J Gary Ernest J Gary Leonce Gary, Jr Andrew Garza Jose H Garza Elbert Clinton & Sandra Gaskill Timothy Gaspar Dudley A Gaspard, Jr Hazel C Gaspard & Aaron Gaspard Leonard J Gaspard Michael Gaspard, Sr Murry Gaspard Murry A Gaspard, Jr Murry Gaspard, Sr Murvin Gaspard Ronald W Gaspard, Sr Ronald Wayne Gaspard, Jr Elizabeth & Gregory M Gaubert Melvin Gaubert Allen J Gaudet, IV Ricky Gaudet, Jr Hewitt J Gauthier, Sr William A Gautreaux Norman F Gay Robert G Gay Daryl G Gazzier Emanuel A Gazzier Wilfred E Gazzier William F Gegenheimer James Geiling Tony Geisman Robert Gentry Samuel W Gentry, Jr James J George, Jr Clara Gerica Peter Gerica |

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| | | | Corey P Giambrone Eddie E Gibson Joseph Gibson Ronald F Gibson James D Gillikin Chad Paul Girard Mark Giroir Anthony J Gisclair Anthony Joseph Gisclair, Sr August Gisclair Dallas J Gisclair, Sr Doyle A Gisclair Kip J Gisclair Romona Gisclair Wade Gisclair Walter Gisclair Charles D Glover Larry Glynn George Goetz Robert E Goings Gold Coast Seafood, Inc Golden Gulf Coast Pkg Co, Inc George T Golden William L Golden Brian Gollot Edgar R Gollot Gollott Brothers Sfd Co, Inc Arnold Gonzales, Jr Mrs Cyril E Gonzales, Jr Rene R Gonzales Rudolph S Gonzales Rudolph S Gonzales, Jr Rudolph S Gonzales, Sr Sylvia A Gonzales Tim J Gonzales Jorge Gonzalez, Jr Donald E Gordon Patrick Alvin Gordon Jean J Gordstnoven Henry H Gore Isabel Gore Thomas L Gore Timothy A Gore Gregory Gottschalk Harold C Gourgues, Jr Tony C Goutierrez Darrell Graham |

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| | | | Steven H Graham Grandpa's Dream Albert J Granger, Sr Stephen Granier Michael Grass Robert N Graves, Sr Jeannette Gray Monroe & Shirley E Gray Wayne A Gray, Sr Ruston Graybill Craig X Green James W Green, Jr Shaun Green W C Greenlaw, Jr Ernest L Gregoire Rita M Gregoire Curtis B Gregory Mercedes E Gregory Raymond L Grice, Jr Alden J Griffin, Sr David D Griffin Elvis Joseph Griffin, Jr Faye Griffin Faye Ann Griffin Jimmie J Griffin Nolty J Griffin Rickey Griffin Sharon Griffin Timothy Griffin Troy D Griffin Alfred A & John Groff Hank Groover Brent J Gros, Sr Craig J Gros Danny A Gros Gary Gros, Sr Junius A Gros, Jr Keven Gros Michael A Gros Homer Gross Janet M & Tate Grossie Shane A Grossie Jimmie C Grow John Guenther, Jr Raphael Guenther Bruce Guerra Chad L Guerra |

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| | | | Fabian C Guerra Guy A Guerra Kurt P Guerra, Sr Ricky J Guerra Robert Guerra Ryan Guerra Troy A Guerra William Guerra, Jr Warren J Guidroz Alvin A Guidry Andy J Guidry Arthur Guidry Bud Guidry Calvin P Guidry & Holly A Guidry-Calva Carl J Guidry Charles J Guidry Chris J Guidry Clarence P Guidry Clark Guidry Clint Guidry Clinton P Guidry, Jr Clyde A Guidry David Guidry Dobie Guidry Douglas J Guidry, Sr Elgy Guidry, III Elgy Guidry, Jr Elwin A Guidry, Jr Gerald A Guidry Gordon Guidry, Jr Guillaume A Guidry Harold Guidry Jason Guidry Jessie J Guidry (2) Jonathan Guidry Joseph T Guidry Keith M Guidry Kenneth J Guidry Kerry A Guidry Marco Guidry Michael J Guidry Nolan J Guidry, Sr Randy Peter Guidry, Sr Rhonda S Guidry Robert C Guidry Robert J Guidry Robert W Guidry |

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| | | | Roger Guidry Ronald Guidry Roy Anthony Guidry Roy J Guidry Tammy Guidry Thomas P Guidry Timothy Guidry Troy Guidry (2) Ulysses Guidry Vicki Guidry Wayne J Guidry Wyatt Guidry Yvonne Guidry Donald J & Lou Guilbeax Shirley Guillie Horace H Guillory Benjamin J Guillot, Jr Rickey A Guillot Gulf Crown Seafood Co, Inc Gulf Fish, Inc Gulf Island Shrimp & Seafood II, LLC Gulf Shrimp Gulf Sweeper, Inc (Trawler Gulf Sweeper) Gulf Trawlers Lee Gullledge Anita Gutierrez Jody Guy Kimothy Paul Guy Wilson Guy Cherie Lan Ha Co Dong Ha Lai Thuy Thi Ha Lyanna Ha Johnny Hafford Hagan & Miley, Inc Robbin Richard Haiglea William E Hales Rhonda L Halili Byron S & Lorrie A Hall Darrel T Hall, Sr Michael P Hammer Julius Michael Hammock William Handlin, Sr Cam T Hang Chris Hansen Eric P Hansen Edmond A Hanson |

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| | | | Louis Harbison Louis Hardison John C Hardy Sharon Hardy Londrie Harley Michelle Harmon George J Harrington Jay Harrington Bobby D Harris Buster Harris Jimmy Wayne Harris, Sr Johnny Ray Harris Kenneth A Harris Susan D Harris William Harris Daniel L Harrison Leon M Hartmann, Jr Walter Hartmann, Jr Errol Henry Hattaway Kenneth Haycock Gregory Haydel Clinton Hayes (C&S Enterprises of Brandon, Inc) Katherine F & Lod Hayes, Jr Hong Hean Walter Heathcock, Jr Albert Joseph & Betty Jo Hebert Bernie Hebert Chris Hebert Craig J Hebert David Hebert David Hebert, Jr Earl J Hebert Eric J Hebert Jack M Hebert Johnny Paul Hebert Jonathan Hebert Jules J Hebert Kim M Hebert Lloyd S Hebert, III Michael J Hebert Myron A Hebert Norman Hebert Patrick Hebert Patrick A Hebert Pennington Hebert, Jr Philip Hebert Robert A Hebert |

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| | | | Terry W Hebert Gerald J Hedrick, Jr Helen E, Inc Helen Kay, Inc Claudia A & Gerry J Helmer Herman C Helmer, Jr Kenneth Helmer Larry J Helmer, Sr Michael A Helmer, Sr Rusty L Helmer Windy Helmer Brad Henderson Curtis Henderson David A Henderson, Sr & David A Henderson, Jr Olen Henderson P Loam Henderson Joanne Henry Rodney Henry Patrick & Terry Herbert Rodney O Hereford, Jr Rodney O Hereford, Sr Corey Hernandez Mark Herndon Charles W Hertel Edward C Hertz, Sr Allen L Hess Allen L Hess, Sr Henry D Hess, Jr Jessica R Hess Wayne B Hess James Hewett Hi Seas of Dulac, Inc John Hickman James W Hicks Larry W Hicks Walter R Hicks Nguyen Hien Joseph J Higgins, III Darren S Hill Joseph R Hill Sharon Hill Willie E Hill, Jr Herman W Hills Barbara E & Roland T Hingle, Jr Rick A Hingle Roland T Hingle, Sr Ronald J Hingle |

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| | | | R Hinojosa Randy Hinojosa Ricky A Hinojosa Nicole Marie Hipps Dung Tan Ho Hung Ho Jennifer Ho Lam Ho Nga T Ho O Ho Sang N Ho Than H Quoc Ho Thanh Q Ho Thanh Qisoe Ho Thien Dang Ho Tien Van Ho Tri T Ho Dung T Hoang Hoa Hoang John & Julie Hoang Julie Hoang Kimberly Hoang Linda Hoang Loan Hoang Tro Van Hoang Trung Kim Hoang Trung Tuan Hoang Ly Hoc Harry K Hoffpaviz Boyce Dwight Holler, Jr Dennis J Hollier Carl D Holloway Home Loving Care, Co Malcolm Hood Douglas Hopton Shawn Horaist Warren L Hostettler, II Claude Hotard Emile J Hotard, Jr Jeff B Howard Wendell Howerin, Sr Keith Hubbard Perry Hubbard Berry T Huber Charles A Huber Irma Elaine Huck Steven R Huck |

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| | | | Harold Huckabee Patrick A Hue Brad J Hughes Thomas Hults Daniel Hutcherson Douglas Hutchinson George D Hutchinson William H Hutchinson Cynthia E & Henry G Hutto, Jr Hai Van Huynh Dung Huynh Dung V Huynh Hai Huynh (2) Hoang D Huynh Hoang Van Huynh Hung Huynh Johnnie Huynh Kim Huynh Lay Huynh Long Huynh Mack Van Huynh Mau Van Huynh Minh Huynh Minh V Huynh Nam Van Huynh Thai Huynh Thanh Huynh The V Huynh Tri Huynh Truc Huynh Tu Huynh (2) Van X Huynh Viet Van Huynh Joseph Hymel, Jr Michael D Hymel Nolan J Hymel, Sr Independent Fish Company, Inc Herbert W Ingham Richard M Inglis Joseph S Ingraham Integrity Fisheries, Inc International Oceanic Ent William B Ipock Isabel Maier, Inc George Iver, Jr J & J Rentals, Inc Carl John Jackson |

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| | | | David Jackson Eugene O Jackson Glenn C Jackson, Jr Glenn C Jackson, Sr James Jerome Jackson John D Jackson John E Jackson, Sr Levi Jackson Nancy L Jackson Robert W Jackson Shannon Jackson Shaun C Jackson Steven A Jackson Jacob A, Inc Ronald R Jacob Warren J Jacob, Jr Lawrence F Jacobs Billy & Marilyn Jarreau James D Jarvis Emma Jaye JBS Packing Co, Inc Vincent R Jeanfreau William Jefferies Timothy Michael Jemison, Sr Jacobs Jennings Jesse Shantelle, Inc Harold J Joffrion, Jr Montha Jok & Tan No Le Albert F Johnson Ashley L Johnson Bernard Johnson, Jr Brent W Johnson Bruce W Johnson Carl S Johnson Carolyn Johnson Clyde Johnson, Sr David G Johnson David Paul Johnson Gary Allen Johnson, Sr George D Johnson Randy J Johnson Regenia Johnson Robert Johnson Ronald Ray Johnson, Sr Steve Johnson Thomas Allen Johnson, Jr Ronald Johnston |

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| | | | Nicholas J Joly, Jr Charles Jones Clinton & Daisy Mae Jones Jerome N Jones, Sr John W Jones Larry Jones Len Jones Michael G Jones, Sr Paul E Jones Perry T Jones, Sr Ralph William Jones Richard G Jones, Sr Stephen K Jones Joni John, Inc (Leon J Champagne) Donald F Joost Dean Jordan Hubert W Jordan, III (Bert) Hubert W Jordan, Jr Joseph Anthony Ramon G Judalet William Roger Judy Ida Julian John I Julian, Sr Julie Ann LLC Julie Shrimp Co, Inc (Trawler Julie) Julio Gonzalez Boat Builders, Inc Anthony Juneau, Sr Bruce Juneau Robert A & Laura K Juneau, Jr Leander J Jurjevich K & J Trawlers Jules B Kain, Sr Martin A Kain Kandi Sue, Inc Chamroeun Kang Sambo Kang Brenda Kap KBL, Corp Robert M Keenan Robert Steven Keer Kenneth & Roxanne Kellum, Sr Larry Gray Kellum, Sr Roger B Kelly Thomas E Kelly Chuck J Kendrick Michael S Kennair Dothan Kennedy |

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| | | | Kenneth Garcia Trawlers David Kenney, Jr Robert W Kenney Michael A Kent Bunly Keo Steve Kerchner Thurmond Kern Sochenda Khin Lep & Nga Ho Khui Frank Kidd Hank J Kiff Melvin Kiff Horace Kiffe Puch Kim Carson Kimbrough Soeun Kim-Tun Andy A King James B & Wesley King Thornell King An Kit Anthony J Kizer Robert Kleimann Robert Klein Alton P Knapp, Jr Alton P Knapp, Sr Ellis L Knapp, Jr Melvin L Knapp Theresa Knapp Frederick Knecht, Jr Lee Knezek George Knight Keith B Knight Knight's Seafood Inc Howard J Koch Seng Kong Bobby Konitz Curtis S Koonce Howard N Koonce Mark L Kopszywa Stanley J Kopszywa Stejepan Kotulja Bridget Kraemer Wilbert Kraemer, Jr David Kramer Arthur Krantz, Jr Lori Krantz Ronald A Kreger, Sr |

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| | | | Roy J Kreger, Sr Ryan A Kreger Raymond A Krennerich Frank D Kruth Alphonse L Kuchler, III Bruce A Kuhn, Sr Gerard R Kuhn, Jr Gerard R Kuhn, Sr Deborah & Robert Michaels Kuhns L & O Trawlers, Inc L.W. Graham, Inc La Pachita, Inc Kerry LaBauve Sabrina LaBauve Terry LaBauve Todd A LaBiche Carroll LaBove Frederick P LaBove Jacqueline Lachica Douglas Lachico Tony C Lacobon Tommy W Lagoon Brodie LaCoste Carl LaCoste Dennis E LaCoste Grayland J LaCoste Malcomb LaCoste, Jr Melvin LaCoste Ravin LaCoste, Jr Ravin LaCoste, Sr Clarence J Ladner, III Earlene G Ladson Lady Barbara, Inc Lady Katherine, Inc Lady Kelly, Inc Lady Melissa, Inc Douglas A LaFont, Sr Edna S LaFont Lafont, Inc Jackin Lafont Noces J LaFont, Jr Weyland J LaFont, Sr Lafourche Clipper, Inc Joseph T LaFrance Frank N Lagarde Gary Paul Lagarde Hen K Lai |

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| | | | Then Lai Cang Van Lam Cui Lam (2) Dong Lam Dong Van Lam Lan Van Lam Lee Phenh Lam Qui Lam Sochen Lam Tai Lam Tihn Huu Jessie J Lambas, Sr Clarence Lander, III David A Landry Dennis J Landry Edward N Landry, Jr George Landry (2) James F Landry Jude C Landry Robert E Landry Ronald J Landry Samuel J Landry, Jr Tracy Landry Daniel E Lane Lance Lapeyrouse Rosalie Lapeyrouse Tillman J Lapeyrouse James L LaRive, Jr Daniel LaRoche Lasseigne & Sons, Inc Betty & Jefferson Lasseigne Blake Lasseigne Floyd Lasseigne Frank Lasseigne Ivy Lasseigne, Jr Jefferson P Lasseigne, Jr Johnny J Lasseigne Marlene Lasseigne Nolan J Lasseigne Trent Lasseigne Chhiet Lat Charlotte A Latapie Jerry Latapie Joseph Latapie Joseph F Latapie, Sr Travis Latapie Crystal Latapie |

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| | | | Craig J Latiolais Joel Latiolais Ho Thanh Lau James G Laughlin James M Laughlin Yvonne M Laurent Roger Lavergne Terrance Lawdros, Jr Michael A Layrisson, III Amanda Le An Van Le Ben Le Ben & Kim Le Binh T Le Cheo V Le Chinh Thanh Le Cu Thi Le Dai M Le Dale Le David Rung Le Du M Le Due V Le Hien V Le Houston T Le Hung Le Jimmy & Hoang Le Khoa Le Ky Van Le Lang Van & Tracy Lan Chi Le Lisa T Le Loi Le My Le My V Le Nhieu T Le Nhut Hoang Le Nu Thi Le Phat Le & Le Tran Phuc Van Le Que V Le Robert Le Sau V Le Son Le (2) Son H Le Son Quoc Le Son Van Le Son Von Le Su Le |

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| | | | Tam Le Tam V Le Thanh Huong Le Tong Minh Le Tony Le Tuan Nhu Le Viet Hoang Le Vui Le Andrew S Leaf Roland Leary LeBauve, Inc Thomas LeBeauf Donnie LeBlanc Edwin J LeBlanc Enoch P LeBlanc Gareth R LeBlanc, Jr Gareth LeBlanc, III Gerald E LeBlanc Hubert C LeBlanc Jerald LeBlanc Jesse LeBlanc, Jr Keenon A LeBlanc Keenon H LeBlanc Lanvin J LeBlanc Luke A LeBlanc Marty J LeBlanc, Jr & Marty J LeBlanc Mickel J LeBlanc Robert LeBlanc Robert Patrick LeBlanc Scotty M LeBlanc Shelton LeBlanc Terry J LeBlanc Brent J LeBoeuf Edward J LeBoeuf Emery J LeBoeuf Joseph R LeBoeuf Dale LeBouef Ellis J LeBouef, Jr Jimmie LeBouef Leslie LeBouef Lindy J LeBouef Micheal J LeBouef Raymond LeBouef Tammy Y LeBouef Tommy J LeBouef Wiley LeBouef, Sr Stephen A LeBourgeois |

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| | | | Alena & Jesse LeCompte, Jr Aubrey J LeCompte Etha LeCompte Jesse LeCompte, Sr Lyle LeCompte Patricia F LeCompte Todd LeCompte Troy A LeCompte, Sr Brad Ledet Bryan Ledet Carlton Ledet Charles J Ledet Jack A Ledet Kenneth A Ledet Mark Ledet Maxine B Ledet Mervin Ledet Phillip John Ledet Dennis Ledoux Joe J Ledwig Carl Lee James K Lee Marilyn & Robert E Lee Otis M Lee, Jr Raymond C Lee Steven J Lee Roy J LeGaux, Jr Kerry Legendre Paul Legendre Andre Leger Alex M LeGros Debbie LeJeune Philip LeJeune, Jr & Philip LeJeune, Sr Eddie R LeJuine Allston B LeLand Rutledge B Leland, III Rutledge B Leland, Jr David LeLeaux Kevin Leleux Jeffery Lemoine, Jr Micheal A Leonard Rosalie Lepeyroose Leroy L Lepine Rudy Lessso, Jr Shawn Lester Dale T Levron Patrick T Levy |

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| | | | James Kenneth Lewis, Sr dba FV Mary Ann Mark Steven Lewis Anthony R Libersat Kim Libersat Liberty I & St Vincent One B, Inc Donald L Lichenstien Douglas P Lilley Chhay Lim Koung Lim Tav Seng Lim Eric L Linden Claude T Liner, Jr Harold Liner Jerry Liner Kevin Liner Michael B Liner, Sr Morris T Liner, Jr Morris T & Tandy M Liner, Sr Pham Linh Alex J Lirette, Sr Bobby & Sherri Lirette Chester P Lirette Daniel J Lirette Dean J Lirette Delvin J Lirette, Jr Desaine J Lirette Eugis P Lirette, Sr Guy Lirette Jeannie Lirette Kern A Lirette Ron Lirette Russell (Chico) Lirette, Jr Shaun Patrick Lirette Terry J Lirette, Sr Little Ernie Gulf Trawler, Inc William A Little William Boyd Little Niem S Liv Ernest J Livaudais Harry R Liverman Michael Anthony LoBue, Sr Dustin Locascio William T Lockhart Kerry Lodrigue Jimmy A Lodrigue Joseph P Lombardo James A Lombas |

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| | | | Kim D Lombas Robert Long Ronald S Longo, Jr Ryan Heath Longwater Celestino Lopez Harry N Lopez Ron Lopez Scott Lopez Stephen R Lopez, Jr Michael E Lord, Sr Louisiana Newpack Shrimp Co, Inc Louisiana Shrimp and Packing Co, Inc Louisiana Shrimp Association George Loupe, Jr Ted Loupe Billy Lovell Bobby Jason Lovell Bradford Lovell Charles J Lovell, Jr Clayton Lovell Douglas P Lovell Jacob G Lovell Lois Lovell Slade M Lovell Low Country Lady (Randolph N Rhodes) Bernadette C & Rudolph J Luke David Luke Dustan Luke Henry Luke Jeremy Luke Keith J Luke Patrick A Luke Patrick J Luke Paul Leroy Luke Samantha Luke Sidney Luke, Jr Terry P Luke, Jr Terry P Luke, Sr Timothy Luke Wiltz J Luke Ora G Lund Ferrell J Luneau Thu X Luong Lydia Luscyc Richard Luscyc William A Lutz Binh Luu |

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| | | | Vinh Luv Hen Ly Kelly D Ly Nu Ly Ven Ly Rosalie Lyall Lynda Riley, Inc Berton J Lyons Jack Lyons Jerome M Lyons M.V. Lerin Lane Marvin Mackey Kevin L Mackie Wayne A Maggio Edwin W Magwood Danny V & Lang V Mai Tai Mai Rubin J Maise Todd Maise Ernest J Majoue Nathan L Majoue David Malcombe Irwin Ray Mallett Jimmie Mallett Lawrence J Mallett Mervin B Mallett Rainbow Mallett Stephney Mallett Ned F Malley, Jr Malolo LLC Mamacita, Inc Charles H Mamolo, Sr Romeo C Mamolo, Jr Terry A Mamolo Jesus Mancera Joseph R MaNoel Shon Manuel Chandarasy Mao Kim Mao Michelle Marcel Joe Marchese, Jr Marcos A Ansley Mareno Brent J Mareno Kenneth Mareno Mariah Lynn, Inc Allen J Marie |

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| | | | Marty Marie Al Marmande Alidore Marmande Denise Marmande Heather Marquize Kip Marquizz Roy C Marris, Jr Darren & Wendy Martin Dean Martin Dennis Martin Jody W Martin John F Martin, III Michael A Martin Nora S Martin Rod J Martin Roland J Martin, Jr Russel J Martin, Sr Sharon Martin Tanna G Martin Carl R Martinez Henry Martinez Henry Joseph Martinez Lupe Martinez Michael Martinez Rene J Martinez Mary Bea, Inc James Mason, Jr Johnnie W Mason Luther Mason Percy D Mason, Jr Master Mike, Inc Larry Matherne, Jr Forest J Matherne Anthony Matherne Blakland Matherne, Sr Bradley J Matherne Claude I Matherne, Jr Clifford P Matherne Curlis J Matherne George J Matherne Glenn A Matherne Grace L Matherne James C Matherne James J Matherne, Jr James J Matherne, Sr Joey A Matherne Keith Matherne |

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| | | | Louis M Matherne, Sr Louis Michael Matherne Nelson Matherne Thomas G Matherne Thomas G Matherne, Jr Thomas M Matherne Thomas M Matherne, Sr Thomas Matherne, Jr Wesley J Matherne Patrick Mathews (2) Barry Mathurne Martin J Matte, Sr Mark D Mavar Lonies A Mayeux, Jr Roselyn P Mayeux Gary Mayfield Henry A Mayfield Henry A Mayfield, Sr James J Mayfield, III Allen J Mayon Wayne Mayon, Sr Henry J McAnespy Louis McAnespy Marcus H McCall R Terry McCall, Sr Michael McCarthy Byron Keith & Katrina McCauley Robert R & Debra McClantoc Eugene Gardner McClellan Len McCormick Denny Carlton McCuiston Allan McDonald Harry J McElroy Merlin J McFarlain, Jr Dennis McGuinn James Richard McIntosh Michael D McIntyre John H McIver, Jr Roy McKendree Bobby E McKenzie Robert McKoin Robert F McKoin, Jr Jonathon S McLendon Robert McNab, Jr Don W McQuaig Oliver J McQuaig David P Medine |

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| | | | Timmy J Melanco Brent K Melancon Neva Melancon Rickey Melancon Roland D Melancon & Roland T Melancon, Jr Sean P Melancon Terral J Melancon Ozimea J Melanson, III Raymond Joseph Melarine Angela Melerine Brandon T Melerine Claude A Melerine Claude A Melerine, Jr Dean J Melerine Eric W Melerine, Jr John D Melerine, Sr Linda C Melerine Daniel W Melford, Sr Nelvin Mello Randall J Pinnell Member Sophin Men Wade E Menendez Dennis Menesses James H Menesses Louis Menesses Lionel A Menge Vincent J Menge Mer Shrimp, Inc Dempsey Mercy Harold A Merrick Kevin Merrick, Sr Darren Merritt, Sr Chase Messer Otis J Meyers Soeum Miarm Michael Lynn Steven D Michel Dan Middleton, Sr Henry Miques Kevin L Miques, Sr Ricky David Miles Joseph Militello David W & Rhonda E Miller Fletcher N Miller James A Miller Larry B Miller Mabry Allen Miller |

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| | | | Mabry Allen Miller, Jr Michael E Miller Michele K Miller Randy A Miller Wayne Miller Leon B Millet Milliken & Son's Donnie Millington Ronnie Millington Moses Millis Raeford Millis Ralford Millis Timmie Lee Millis Derrick Mine Peter G Miner Phuc-Truong Minh Miss Alice, Inc Miss Ashleigh Miss Barbara Miss Bertha (M/V) & Kevin & Bryan (M/V) Miss Candace Miss Candace Nicole, Inc Miss Carla Jean, Inc Miss Caroline, Inc Miss Carolyn Louise, Inc Miss Cleda Jo, Inc Miss Danielle Gulf Trawler, Inc Miss Gabrielle, Inc Miss Georgia, Inc Miss Hannah Miss Loraine Miss Luana D Shrimp Co Miss Marilyn Louise, Inc Miss Nicola Miss Rhianna, Inc Miss Sandra II Miss Savannah II Miss Suzanne Miss WillaDean Miss Yvette, Inc Ricky Allen Mitchell Todd Mitchell Francis C Mitchum G C Mixon Bryan A Mobley Jimmy Mobley, Sr Robertson Mobley |

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| | | | Frank Mock, Sr Frankie E Mock, Jr Jesse R Mock, II Terry Mock Louis Frank Molero Louis Molero, III Al L Molinere Floyd Molinere Roland & Stacy Molinere, Jr Angela Moll Jerry J Moll, Jr Jonathan P Moll Julius J Moll Randall Moll, Jr Randall Mollere Mom & Dad, Inc Philip J Mones, Jr Tino Mones Guy D Moody Carl Stephen Moore Curtis L Moore Kenneth Moore Richard Moore Willis Moore Nguyen Moot Anthony Morales Clinton A Morales Daniel Morales, Jr Daniel Morales, Sr David Morales Elwood J Morales, Jr Eugene J Morales, Jr Eugene J Morales, Sr Kimberly & Raul Morales Leonard L Morales Phil J Morales, Jr Scott Moran Allen J Moreau Berlin J & Mary Moreau, Sr Daniel R Moreau Hubert Moreau Rickey J Moreau, Sr Arthur B Morehead, Jr Ansley Moreno Harold R Morgan John Morici Herbert Eugene Morris |

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| | | | Jesse A Morris Jesse A Morris, Sr Preston Morris Robert A Morton Keith M Morvant Patsy Lishman Morvant Chalam Moschetteiri Kevin R Moseley William L Mouille Ashton J Mouton Timothy Moverant Mr. Verdin, Inc Mark Mund Denis R Murphy Gary J Muth, Sr Joseph E Myers, Jr Tran Van Na Andrew Naccio Lance M Nacio Noel Nacio Philocles J Nacio, Sr Nancy Joy Alton J Naquin Andrew J Naquin, Sr Antoine Naquin, Jr Autry James Naquin Bobby J & Sheila Naquin Christine & Milton H Naquin, IV Dean J Naquin Donna P Naquin Earl Naquin Earl L Naquin Freddie Naquin Gerald Naquin Henry Naquin Jerry Joseph Naquin, Jr Kenneth J Naquin, Jr Kenneth J Naquin, Sr Kenneth Naquin, Jr Linda L Naquin Lionel A Naquin, Jr Mark D Naquin, Jr Marty J Naquin, Sr Oliver A Naquin Robert Naquin Roy A Naquin Vernon Naquin |

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| | | | Curtis J Navarre Emma & Floyd G Navero, Jr Craig A Neal Roy J Neal, Jr Bobby H Neely Raymond E Nehlig, Sr Dean Neil Jacob Neil Robert J Neil, Jr Deborah Nelson Elisha W Nelson Ernest R Nelson Faye Nelson Fred H Nelson, Sr Gordon Kent Nelson, Sr Gordon W Nelson, III Gordon W Nelson, Jr William O Nelson, Jr Aaron J Nelton, Jr Steven J Nelton Nevgulmarco Co, Inc Ronald B Newell Thomas E Newsome Paul J Newton Dong Xuan Neyuh Hung V Ngo Liem Thanh Ngo The Ngo Truong Dinh Ngo Vu Hoang Ngo Thoi Ngu Amy Nguyen An Hoang Nguyen Andy Dung Nguyen Anh Nguyen Auyan Nguyen Ba Nguyen Bac Van Nguyen Bao Q Nguyen Bich Thao Nguyen (2) Bien Nguyen Binh Nguyen (3) Binh Cong Nguyen Binh V Nguyen Can Van Nguyen Cath V Nguyen Charlie Nguyen |

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| | | | Chien Nguyen Chien Van Nguyen Chin Nguyen Chinh Van Nguyen Christian Nguyen Chung Nguyen Chung Van Nguyen Chuong Hoang Nguyen Chuong V Nguyen Chuyen Nguyen Coolly Dinh Nguyen Cuong Nguyen Dai Nguyen Dan Nguyen Dan Van Nguyen (2) Dang Nguyen Danny Nguyen De Van Nguyen Den Nguyen Diem Nguyen Dien Nguyen Diep Nguyen Dinh Nguyen (2) Dong T Nguyen Dong X Nguyen Duc Nguyen Duc Van Nguyen Dung Nguyen Dung Ngoc Nguyen Duong V Nguyen Duong Xuan Nguyen Dvoc Nguyen Elizabeth Nguyen Gary Nguyen Giang T Nguyen Giau Van Nguyen Ha T Nguyen Ha Van Nguyen Hai Nguyen Hai Van Nguyen Han V Nguyen Hang Nguyen Hanh T Nguyen Harry H Nguyen Henri Hiep Nguyen Henry-Trang Nguyen Hien Nguyen |

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| | | | Hiep Nguyen Ho V Nguyen Hoa Nguyen Hoa N Nguyen Hoang Nguyen (2) Hoi Nguyen Hung Nguyen (2) Hung M Nguyen Hung Van Nguyen Huu Nghia Nguyen Jackie Tin Nguyen James Nguyen Jennifer Nguyen Jimmy Nguyen (2) Joachim Nguyen Joe Nguyen John R Nguyen John V Nguyen Johnny Nguyen Joseph Minh Nguyen Kenny Hung Mong Nguyen Khanh Nguyen Khanh & Viet Dinh Nguyen Khanh Q Nguyen Khiem Nguyen Kim Nguyen (2) Kinh V Nguyen Lai Nguyen (2) Lai Tan Nguyen Lam Van Nguyen Lang Nguyen (2) Lanh Nguyen Lap Van Nguyen Le Nguyen Lien Thi Nguyen Linda Oan Nguyen Linh Thi Nguyen Lintt Danny Nguyen Lluu Nguyen Loc Nguyen Loi Nguyen (2) Long Phi Nguyen Long T Nguyen Long Viet Nguyen Luom T Nguyen Mai Van Nguyen Man Van Nguyen |

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| | | | Mao-Van Nguyen Mary Nguyen Minh Nguyen (3) Minh Ngoc Nguyen Minh Van Nguyen (2) Mui Van Nguyen Mung T Nguyen My Le Thi Nguyen My Tan Nguyen My V Nguyen Nancy Nguyen Nghi Q Nguyen Nghia Nguyen Ngiti Nguyen Ngoc Tim Nguyen Ngoc Van Nguyen Nguyet Nguyen Nhi Nguyen Nuona Nguyen Nuong Nguyen Peter Nguyen Peter V Nguyen Phe Nguyen Phong Ngoc Nguyen Phong T Nguyen Phong Xung Nguyen Phu Huu Nguyen Phuc Nguyen Phuoc H Nguyen Phuoc Van Nguyen Phuong Nguyen (2) Quang Nguyen Quang Dang Nguyen Quang Dinh Nguyen Quang Van Nguyen Quoc Van Nguyen Quyen Minh Nguyen Quyen Van Nguyen Quyent Nguyen Ran T Nguyen Randon Nguyen Richard Nguyen Rick Nguyen Ricky Thinh Nguyen Sam Nguyen Sandy Ha Nguyen Sang Nguyen |

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| | | | Sau V Nguyen Si Ngoc Nguyen Son Thanh Nguyen Son Van Nguyen Steven Giap Nguyen Tai Nguyen Tai The Nguyen Tai Thi Nguyen Tam Nguyen Tam Thanh Nguyen Tam V Nguyen Tam Van Nguyen Tdan Van Nguyen Ten Tan Nguyen Thach Nguyen Thang Nguyen (2) Thanh Nguyen (5) Thanh P Nguyen Thao Nguyen Thi Bich Hang Nguyen Thiet Nguyen Tho Duke Nguyen Thoa Nguyen Thoa D Nguyen Thoa Thi Nguyen Thomas Nguyen Thu Duc Nguyen Thuong Van Nguyen Thuy Nguyen Thuyen Nguyen (2) Tinh Nguyen Tinh V Nguyen Toan Nguyen Toan Van Nguyen Tommy Nguyen Tony Nguyen Tony D Nguyen Tony Si Nguyen Tra Nguyen Tracy T Nguyen Tri D Nguyen Trich Nguyen Trich Van Nguyen Tu Van Nguyen Tuan Nguyen Tuan A Nguyen Tuan H Nguyen |

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| | | | Tung Nguyen Tuyen Duc Nguyen Van H Nguyen Van Loi Nguyen Viet Nguyen (2) Viet Van Nguyen Vinh V & Vuong V Nguyen VT Nguyen Vu Minh Nguyen Vu T Nguyen Vu Xuan Nguyen Vui Nguyen Xuong Kim Nguyen Seri Nhon Steve Anna Nichols Gary Nicholson Leonard Nixon Earl Noble Timothy Normand Candace P Norris John A Norris Kenneth L Norris Kevin Norris North Point Trawlers, Inc James E Nowell Phen Noy Conrad Nunez Jody Nunez Joseph Paul Nunez Randy Nunez Wade Joseph Nunez Dong Xuan Nynh Darryl Oberling Adam O'Blance Gary S O'Brien Mark O'Brien Michele O'Brien Ocean Select Seafood, LLC Ocean Springs Seafood Market, Inc Henry & Phyllis Oglesby Michael P O'Gwynn, Sr George J & Eva G Ohmer Hazel Olander Rodney Olander Roland J Olander Russell J Olander Thomas Olander |

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| | | | Kevin Olano Owen J Olano Shelby F Olano Malcolm D Olds, Jr Wilfred J Olinde, Jr Carey O'Neil Brad R Oracoy Eugene Orage Het Orlando Robert F Oteri Faron P Oubre SokHoms K Ourks Larry E Owens Timothy Owens Thomas Pacaccio, Jr Kenneth J Padgett Roben Palimisano Gay Ann P Palmer John W Palmer Mack Palmer Daniel P Palmisano Dwayne Palmisano, Jr Kim Palmisano Larry J Palmisano Leroy J Palmisano Robin G Palmisano Phuong Bui Pam Papa Rod, Inc Antoine C Parfait, Jr Jerry & Mary S Parfait, Sr John C Parfait Joshua K Parfait Olden G Parfait, Jr Robert C Parfait, Jr & Robert C Parfait, Sr Rodney Parfait Shelton J Parfait Timmy J Parfait Clyde A Parker Franklin L Parker Paul A Parker Percy Todd Parker Daniel Duane Parks Ellery Doyle Parks, Jr Joseph D Parrett, Jr Danny Parria Gavin C Parria, Sr Gillis Parria, Jr |

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| | | | Gillis Parria, Sr Jerry D Parria Kip G Parria & Louis J Parria, Sr Lionel J Parria, Sr Louis Parria, III Louis Parria, Jr Michael Parria Ronald Parria Ross Parria Troy M Parris Walter L Parrish Penny Passmore Shane Pate Richard Paterbaugh Roger D Patingo Paul Piazza and Son, Inc Robert Emmett Paul John Payne Stuart Payne Pearl, Inc dba Indian Ridge Shrimp Co James Curtis Pelas Corey P Pellegrin Curlynn Pellegrin James A Pellegrin, Jr Jordey Pellegrin Karl Pellegrin Karl J Pellegrin Randy Pellegrin, Sr Rodney J Pellegrin, Sr Samuel Pellegrin Troy Pellegrin Troy Pellegrin, Sr Randy Pelligrin Clyde Peltier Rodney J Peltier Bartolo Pena, Jr Israel Pena Gracie Pendarvis Elaine & Milton Pennison David P Percle Allen M Perez David J Perez David P Perez Derek Perez Edward Perez, Jr Henry Perez, Jr Joe B Perez |

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| | | | Tilden A Perez, Jr Warren A Perez, Jr Warren A Perez, Sr Wesley Perez Dale Perrin David M Perrin Edward G Perrin, Sr Errol J Perrin, Jr Jerry J Perrin Kenneth V Perrin Kevin Perrin Kline J Perrin, Sr Kurt M Perrin Michael Perrin Michael A Perrin Murphy P Perrin Nelson C Perrin, Jr Pershing J Perrin, Jr Robert Perrin Tim J Perrin Tony Perrin Nelian C Perrio, Jr William T Persohn Kirk Lynn Peshoff Alfred F Pete, Jr Alfred F Pete, Sr William A Pfleeeger An V Pham Anh My Pham Bob Pham Cho Pham Cindy Pham David Pham Dung Pham Dung Nick Pham Duong Van Pham Gai Pham Hai Hong Pham Hiep Pham Hung Pham Hung V Pham (2) Kannin Pham Nam V Phan Pham Nhung T Pham Osmond Pham Paul P Pham Phong-Thanh Pham |

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| | | | Phung Pham Quoc V Pham Steve Ban Pham Thanh Pham Thinh Pham Thinh V Pham Tommy V Pham Ut Van Pham Anh Thi Phan Banh V Phan Con Van Phan Dan T Phan Hanh Van Phan Hoang Phan Johnny Phan Thong Phan Tien V Phan Toan Phan Lam Mau Phat John D Phelps Bruce Phillips Danny D Phillips Gary Phillips Harry L Phillips James C Phillips, Jr Kistrina W Phillips A W Phipps Khaolop Phonthaasa Phen Phorn Tran D Phuc Kathy Pickett Calvin Picou, Jr Gary M Picou Jennifer Picou Jerome J Picou Jordan J Picou Randy Picou Ricky Picou, Sr Terry Picou Aaron Pierce Dean Pierce Elwood Pierce Imogene Pierce Stanley Pierce Taffie Boone Pierce Ivy Pierre Joseph Pierre |

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| | | | Joseph C Pierre, Jr Paul J Pierre Ronald J Pierre Jake Pierron Patsy H & Roger D Pierron Ernie A Pinell Harry J Pinell, Jr Jody Pinell Randall James Pinell Richard J Pinnell Robert Pinnell Benton J Pitre Carol Pitre Claude A Pitre, Sr Elrod Pitre Emily B Pitre Glenn P Pitre Herbert Pitre Jeannie Pitre Leo P Pitre Robert Pitre, Jr Robin Pitre Ryan P Pitre Ted J Pitre Bonnie Pizani Craig Pizani Jane Pizani Terrill Pizani Terry M Pizani Terry M Pizani, Jr Arthur E Plaisance Burgess Plaisance Darren Plaisance Dean J Plaisance, Sr Dorothy B Plaisance Dwayne Plaisance Earl J Plaisance, Jr Errance H Plaisance Evans P Plaisance Eves A Plaisance, III Gideons Plaisance Gillis S Plaisance Henry A Plaisance, Jr Jacob Plaisance Jimmie J Plaisance Joyce Plaisance Keith Plaisance |

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| | | | Ken G Plaisance Lawrence J Plaisance Lucien Plaisance, Jr Peter Plaisance, Jr & Peter A Plaisance, Sr Richard J Plaisance Russel P Plaisance Thomas Plaisance Thomas J Plaisance Wayne P Plaisance Whitney Plaisance, III Phan Plork Glenn J Poche, Jr Glenn Poche, Sr Gerald Pockrus Russell Poiencot, Jr Charles A Poillion Gerald Polito Gary Polkey Richard R Polkey, Jr Ronald Polkey Shawn Michael Polkey Lionel J Pollet, Sr Ben Ponce Lewis B Ponce Raymond Poon Robert Pope Winford A Popham David M Poppell Ricky J Porche Port Royal Seafood, Inc Bobby & Penelope J Portier Chad Portier Corinne L Portier Robbie Portier Russel A Portier, Sr Hubert Edward Potter, Jr Robert D Potter Terry Wayne Pounds Clyde T Powers Dennis J Prejean Carl Price Curtis Price Edwin J Price Franklin J Price George J Price, Sr Norris J Price, Sr Steve J Price, Jr |

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| | | | Timmy T Price Wade J Price Warren J Price Steve Prihoda Scott Primeaux Dixie J & James R Pritchard Claude J Prosperie, Jr Myron Prosperie Rollen Prout Sharonski K Prout Thou Prum Charles D Pugh, Jr Charles D Pugh, Sr Cody Pugh Deanna Pugh Donald Pugh Nickolas Pugh Alvin Punch, Jr Donald J Punch Todd M Punch Travis J Punch Emil Purse George Puvis Joe Quach Dora M Quinn R & J, Inc Charles Racca Chip Racine Albert G Ragas Gene Ragas John D Ragas Jonathan Ragas Richard A Ragas Ronda S Ragas Lester B Ralph Alfred J Ramirez, Jr Sylvan P Racine, Jr (Cape Romain) Randall Pinell Inc John A Randazza, Jr Rick A Randazzo Stanley D Rando Randy Boy, Inc Ellis Gerald Ranko Dwayne Rapp Leroy & Sedonia Rapp John H Rawlings, Sr Ralph E Rawlings |

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| | | | Leo Ray William C Ray, Jr Steven Earl Raynor Kelty O Reademour Roy Reagan Patrick W Reason Paul S Reaux, Sr Craig A Reaves Laten Reaves Paul J Rebery, Sr Steve M Rebert, Jr Charles Rebstock Lance Recter, Jr Warren L Recter Yvonne Redden Leoncea B Regnier Garland Remondet, Jr Lanny Renard Edward Reno George C Reno George H Reno George T Reno Harry Reno Ben D Revell Reyes Trawlers, Inc Dwight D Reyes, Sr Marcello Reynon, Jr Randolph N Rhodes Christopher L Rhoto Frank A Ribardi Wanda Heafner Rich Irvin J Richaox, Jr Bruce J Richard David L Richard Edgar J Richard James Ray Richard Melissa Richard Randall K Richard James T Richardson Daniel E Richert Earl Richo, Sr Dudley D Richoux, Jr Larry & Judy Richoux Mary A Richoux Raymond A Riego Josiah B Riffle Randall R Rigaud |

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| | | | Jeffrey B Riggs Jackie Riley, Sr Raymond Riley Anthony J Rinkus, III Amado Rios Norris M Ripp Dan S Robert Michael A Roberts Kevin Robertson Richard S Robeson, Jr Craig J Robichaux Alvin G Robin Cary Joseph Robin Charles R Robin, III Danny J Robin Donald Robin Floyd A Robin Kenneth J Robin, Sr Ricky R Robin Johnson P Robinson, III Walter Robinson Clay Roccaforte Dominick R & Rhonda Rodi Brent J Rodrigue Carrol Rodrigue, Sr Glenn & Sonya Rodrigue Lerlene Rodrigue Reggie Rodrigue, Sr Wayne Rodrigue Barry Rodriguez Gregory Rodriguez Jesus Rodriguez Orn Roeum Barry David Rogers Chad Rogers Chad M Rogers Kevin Rogers Nathan J Rogers Carlton J Rojas, Sr Curtis Rojas, Sr Dennis J Rojas, Sr Gordon V Rojas Kerry D Rojas Kerry D Rojas, Jr Randy Rojas, Sr Raymond J Rojas, Jr Brad Roland |

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| | | | Mathias C Roland Vincent Roland Theresa Rollins Wayne A Rollo Victor J Rome, IV D H Romero Kardel J Romero Norman Romero Philip J Romero Romo, Inc Glenn Ronquille Norman C Ronquille Earl Ronquillo Richard J Ronquillo Timothy Ronquillo Rosa Marie, Inc Charles R Roseburrough, Jr Dorothy Ross Edward Danny Ross, Jr Leo L Ross Robert A Ross Joseph F Roth, Jr Joseph M Roth, Jr Carolyn Rotolo Feliz Rotolol Jimmy Rouse Michael D Roussel, Jr Henry Lee Roy, Jr Chad A Rudolph Donald W Ruiz James L Ruiz Paul E Ruiz Paul R Ruiz Bentley R Russell Casey Russell Daniel Russell James Russell, III Michael J Russell Nicholas M Russell Paul Russell Kenneth Rustick Adrian K Ruttley Ernest T Ruttley, Jr J T Ruttley James C Ryan, Sr Rhebb Rybiski Luther V Ryder |

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| | | | Sabrina Marie, Inc Stewart Sadler Everett Sagnes Amanda K Saha Salina Cruz, Inc Don M Saling Sue A & Preston J Saltalamachia Lawrence Salvato, Jr Samaira, Inc Carol J Samanie Frank J Samanie Don Samsome San Dia Malcolm H Sanabe Troy P Sanamo Augustine Sanchez Jeffery A Sanchez Juan Sanchez Robert A Sanchez William Shannon Sanders Sandra G, Inc R J Sandras R J Sandras, Jr Roy R Sandrock, III Santa Maria, Inc Lindberg W Santini, Jr James Santiny Patrick Santiny Carol J Sapia, Jr Eddie J Sapia, Jr Willard Sapia Michael Rance Saturday Tran Sau Carlton J Sauce Joseph C Sauce, Jr Houston J Saucier Russell Sauls Malcolm H Savage Raymond Savant Allen Savoie Brent T Savoie James Savoie Merlin F Savoie, Jr Reginald M Savoie, II Gerald Sawyer Rodney Sawyer Clifford Scarabin |

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| | | | Michael J Scarabin Kelly Schaffer Curry A Schanbhut Lester B Schelling, Jr Michael Schexnaydre Robert Schirner, Jr Joseph J Schjatt, Sr Henry Schlindwein Paul A Schmit, Jr Paul A Schmit, Sr Victor J Schmit, Jr Ellis J Schouest, III Ellis Schouest, Jr Juston Schouest Mark Schouest Noel Schouest Robert H Schrimpf, Jr Sidney Schultz Troy A Schultz Arron J Scott Audie B Scott James E Scott, III Milford P Scott Paul Scott Sea Eagle Fisheries, Inc Sea Pearl Seafood Company, Inc Seabrook Seafood, Inc Terry G Seabrook Garry Seaman Greg Seaman Ollie L Seaman, Jr Ollie L Seaman, Sr Meng Seang Robert Craig Sehon S George Sekul Morris G Sekull Charles Sellers Issac Charles Sellers Sophen Seng Adam R Serigne Elizabeth Serigne James J Serigne, III Kimmie J Serigne Lisa M Serigne Neil Serigne O'Neil N Serigne Richard J Serigne, Sr |

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| | | | Rickey N Serigne Ronald Raymond Serigne Ronald Roch Serigne Ross Serigne Gail Serigny Wayne A Serigny Lenny Serpas, Jr William O Sessions, III William O Sessions, Jr Michael D Sevel Carl Sevin Earline Sevin Janell A Sevin Joey Sevin Nac J Sevin O'Neil J Sevin Phillip T Sevin Shane Sevin Shane Anthony Sevin Stanley J Sevin Symantha A Sevin Willis Sevin Janet A Seymour David M Shackelford Curtis E Shaffer Glynnon D Shaffer Danielle A Shay Jason Shilling L E Shilling Robert L Shugars Randy Shutt Sidney Fisheries, Inc Curtis Silver, Jr Curnis Simon John Simon Leo Simon Mark Simpson Donald L Sims Alan Singley Charlie E Singley, Sr Glenn Singley Robert Joseph Singley Jace Sirgo Walter Sisung Walter Sisung, Jr Gary M Skinner, Sr Richard Skinner |

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| | | | Skip Toomer, Inc Malcom W Skipper Martin J Skrmetta Skyla Marie Inc Brian H Smelker Brian Smith Carl R Smith, Jr Clark W Smith Danny Smith Danny M Smith, Jr Donna Smith Elmer T Smith, Jr James E Smith Margie T Smith Mark A Smith Nancy F Smith Raymond C Smith, Sr Tim Smith Walter M Smith, Jr William T Smith Ted W Smithwick Bill Smoak William W Smoak, III Erick Snell Snodgrass Phat Soeung John C Soileau, Sr Kheng Sok Nhip Sok Darren Solet Donald M Solet Joseph R Solet Raymond Solet Kim Son Sam Nang Son Samay Son Thuong Cong Son Daniel Soprano William Sork Louis Soudelier, Jr Shannon Soudelier Yem Kim Sour South Carolina Shrimpers Association Barbara Kay Spier Jeffrey B Spell Mark A Spell Joel F Spellmeyers, Sr |

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| | | | Casey Spencer Donald A Spiers Avery M Sprinkle Emery S Sprinkle Joseph Sprinkle Kenneth J Squarsich Siphon Srei Dana A St. Amant Mr & Mrs Jerome K St. Ann Darren St. Pierre Scott A St. Pierre Patrick Staves Chad Stechmann Karl J Stechmann Todd Stechmann Arnold D Steele, Jr Henry H Steele, III Carl L Steen James D Steen Kathy G Steen Norris J Stein, Jr Stella Mestre, Inc Adlar Stelly Carl A Stelly Chad P Stelly Delores Stelly Sandrus Stelly, Jr Sandrus Stelly, Sr Toby J Stelly Veronica G Stelly Warren Stelly Louis Stephenson Alvin Stevens Curtis D Stevens Glenda Stevens Chester Stewart, Jr Derek Stewart Fred Stewart Jason F Stewart Ronald G Stewart William C Stewart Derald Stewat Thanh Stiffler Lawrence L Stipelcovich Todd J Stipelcovich Brenda Stockfett Todd Stokes |

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| | | | Pamela Stone-Rinkus Ken Strickland Rita G Strickland James V Stuart Rex E Stutes Billy W Sulak Hong Sreng Sun Donald D Surmik Patrick Sutton Swamp Irish, Inc Keith Swindell Dennis A Sylve James L Sylve Nathan Sylve Scott Sylve Paul Sylvesr Ba Van Ta Chris Ta Yen Ta Calvin Tabb Andrew Taliancich Ivan & Srecka Taliancich Joseph M Taliancich Ho Dung Tan Hung Tan Lan T Tan Thanh Tang Robert Charles Tanner Tanya Lea, Inc Raymond Taravella Alton J Tassin Keith P Tassin Archie P Tate Terrell Tate Kevin M Tauzier Doyle L Taylor Herman R Taylor Herman R Taylor, Jr J P Taylor, Jr John C Taylor Leander J Taylor, Sr Leo Taylor, Jr Nathan L Taylor Robert L Taylor Robert M Taylor Phal Teap Heng Tek |

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| | | | Paul Templat John L Terluin, III A Scott Terrebonne Alphonse J Terrebonne Alton S Terrebonne, Jr Alton S Terrebonne, Sr Carol Terrebonne Carroll Terrebonne Chad Terrebonne, Sr Daniel J Terrebonne Donavon Terrebonne Gary J Terrebonne Jimmy Terrebonne, Jr Jimmy Terrebonne, Sr Kline A Terrebonne Lanny Terrebonne Larry F Terrebonne, Jr Scott Terrebonne Steven Terrebonne Toby J Terrebonne Chad J Terrel, Sr C Todd Terrell Brandon James Terrio Harvey J Terrio, Jr Terry Luke Corp Terry Lynn, Inc Eloise Terry Kuzma D Tesvich Texas Pack, Inc Tex-Mex Cold Storage, Inc Phuong Thach Paul Thai Thomas Thai Anthony Theriot Carroll A Theriot, Jr Clay J Theriot, Jr Craig A Theriot Dean P Theriot Donnie Theriot Jeffrey C Theriot Larry J Theriot Lynn Theriot Mark A Theriot Wanda J Theriot Bart James Thibodeaux Brian A Thibodeaux Brian M Thibodeaux |

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| | | | Calvin A Thibodeaux, Jr Fay F Thibodeaux Glenn P Thibodeaux Jared Thibodeaux Jeffrey Thibodeaux Jonathan Thibodeaux Jospephine Thibodeaux Keith Thibodeaux Tony J Thibodeaux Warren J Thibodeaux Tran Thiet Thomas G, Inc Alvin Thomas Brent Thomas Dally S Thomas Janie G Thomas John Richard Thomas Kenneth Ward Thomas Monica P Thomas Ralph L Thomas, Jr Randall Thomas Robert W Thomas Willard N Thomas, Jr Gerard Thomassie Nathan A Thomassie Philip A Thomassie Ronald Thomassie Tracy J Thomassie David Thompson Edwin A Thompson George Thompson James D Thompson, Jr James Thompson, Jr John E Thompson John R Thompson Randall Thompson Shawn Thompson Thong John J Thonn, Jr Victor J Thonn Robert Lee Thorpe, Jr Three Sons, Inc Charles E Thurman Tidelands Seafood Co, Inc Thanh Tiet Tiffani Claire, Inc Tikede, Inc |

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| | | | Gene E Tilghman Billy Carl Tillett Lewis A Tillman, Jr Timothy P & Yvonne M Tillman Pat Tillotson Mark A Tinney Georgia W Tisdale Oscar Tiser Thomas C Tiser, Jr Thomas C Tiser, Sr Du Van To Fred Noel Todd Rebecca G Todd Robert C Todd Vonnice Frank Todd, Jr Gerald Tompkins, II George Toney, Jr Hai V Tong Linh C Tony Tonya Jane, Inc Christina Abbott & William Kemp Toomer Christy Toomer Frank G Toomer, Jr Jeffrey E Toomer Kenneth Toomer Lamar K Toomer Larry C & Tina Toomer David P Torrible Jason Torrible Anthony H Touchard John B Touchard, Jr Paul V Touchard, Jr Eldridge Touchet, III & Eldridge Touchet, Jr Anthony G Toups Bryan Toups George A Toups Jeff Toups Jimmie J Toups Kim Toups Manuel Toups Ted Toups Tommy Toups James Toureau Melvin H Tower Harmon Lynn & Marion Brooks Townsend Hop T Tra Nguyen Tra |

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| | | | James D Trabeau Allen A Trahan, Jr Alvin Trahan, Jr Druby Trahan Dudley Trahan Elie J Trahan Eric J Trahan James Trahan Karen C Trahan Lynn P Trahan, Sr Ricky Trahan Ronald J Trahan Tracey L Trahan Wayne Paul Trahan Allen Hai Tran Andana Trana Anh Tran (2) Anh N Tran Bay V Tran Binh Tran Ca Van Tran Cam Van Tran Chau Van Tran Chi T Tran Chu V Tran Cuorg Tran Den Tran Dien Tran Dinh Tran Dinh M Tran Duoc Tran (2) Duong Tran Eric Tran Francis Tran Giang Tran Giao Tran Hien H Tran Hiep Tran Hiep Phuoc Tran Hieu Tran Hoa Tran (2) Hue T Tran Huey Tran Hung Tran Hung (Eric) Tran Hung P Tran Hun Viet Tran |

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| | | | John Tran Johnny Dinh Tran Joseph Tran Joseph T Tran Khan Van Tran Khanh Tran Kim Chi Thi Tran Lan Tina Tran Leo Van Tran Loan Tran Long Tran Long Van Tran Luu Van Tran Ly Tran Ly Van Tran Mary Tran Mien Tran Mike Tran Minh Huu Tran My T Tran Ngoc Tran Nhieu Van Tran Nho Tran Phuc V Tran Phung Tran Quan Van Tran Quang Quang Tran Quang T Tran Qui V Tran Ran Van Tran Sarah T Tran Sau Tran Son Tran (2) Steven Tuan Tran Te V Tran Than Tran Thanh Tran Theresa Tran Thi Tran Thich Van Tran Thien Tran Thien Van Tran Tri Than Trung Tran Trung Van Tran Tuan Tran Tuan Minh Tran |

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| | | | Tuong Van Tran Tuyet Thi Tran Van T Tran Vinh Tran Vinh Q Tran (2) Vui Kim Tran James Tranan Tommy Trapp Trawler Master Alston Trawler Raindear Partnership Trawler Wylie Milam Michael Treadaway Curtis Tregle William Paul Trehoan Gary J Treuil Manuel Trevino E H Buddy Treybig, Jr Donald G Triche Hung Hoa Triea Jackie & Hiep Trieu Jasmine & Ly Trieu Lorie Trieu Tam Trieu Christopher B Trinh Philip P Trinh Triple T Enterprises, Inc Clark K Trosclair Clark P Trosclair Eugene P Trosclair James J Trosclair Jerome Trosclair Joseph & Patricia Trosclair Lori Trosclair Louis V Trosclair Patricia Trosclair Randy Trosclair Ricky Trosclair Wallace Trosclair, Sr True World Foods, Inc Andre Truong Andre U Truong Be Van Truong Dac Truong Kim & Benjamin Truong Steve Truong Tham T Truong Thanh Minh Truong |

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| | | | Timmy Truong George W Trutt, Sr Wanda Trutt Nguyen Q Tuan Huan Tuong Mervin A Turlich Calvin L Turner Tyler James John Tyre Ultima Cruz, Inc Terry R Upton Vi V Do Eddie James Vaisin J G Valentino, Jr James Valentino Christopher A & Nancy H Vallot Hugh P Valure Thien Van Do Jean T Van Gordstnoven Tung Van Huynh Lo Van Ngo Dung Van Nguyen Irving Van Nguyen Nho Van Nguyen Roe Van Nguyen Thanh Van Nguyen Trung Van Nguyen Vang Van Nguyen Thai Van Pham Tu Van Phan Ba Van Ta Hung Van Tran Miel Van Tran Nhanh Van Tran Phu Van Tran Nhut Van Truong Them Van Truong Hai Van Vo Cang To Van Long Van Nguyen Day Van Than Van Tran Phu Van Vui Van Kathy D & Malcolm Vanacor Bobbie Vanicor Matthew T VanMeter |

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| | | | William Earl VanMeter Ba Van-Ta Randy L Varney Raymond S Vath William E Veasel, III Brien J Vegas Percy J Vegas Terry J Vegas Terry J Vegas, Jr Terry Vegas, Jr Peter Vela Aaron Verdin Av Verdin Bradley J Verdin Brent A Verdin Charles A Verdin Charles E Verdin Coy P Verdin Curtis A Verdin, Jr Delphine & Jeffrey Verdin Diana & Joseph Verdin Ebro W Verdin Eric P Verdin Ernest Joseph Verdin, Sr Jeff C Verdin Jessie J Verdin John P Verdin Joseph A Verdin, Jr Joseph Cleveland Verdin Joseph S Verdin Justilien G Verdin Matthew W Verdin, Sr Michel A Verdin Paul E Verdin Perry Anthony Verdin Rodney Verdin Rodney P Verdin (2) Skylar Verdin Timmie Verdin Toby Verdin Tommy P Verdin Tony J Verdin Vincent Verdin Viness Verdin, Jr Wallace P Verdin Webb A Verdin Wesley D Verdin, Sr |

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| | | | Jimmy R Verdine Joseph Thomas Vermeulen Darren L Verret Donald J Verret Ernest J Verret, Sr James A Verret Jean E Verret Jimmy J Verret, Sr Johnny R Verret Joseph L Verret Paul L Verret Ronald P Verret Joseph A Versaggi Versaggi Shrimp Corp Brent J Vicknair, Sr Duane P Vicknair Henry Dale Vicknair Ricky A Vicknair Corey Vidrine Kathi & Bill Vidrine Richard Vidrine Vietnamese-American Commerical Fisherman's Union William F Vila Villers Seafood Co, Inc Vincent Piazza Jr & Sons Seafood, Inc Gage T Vincent Gene Vincent Gene B Vincent Robert N Vincent Charles E Vise, III Barry A Vizier Christopher Vizier Cloris J Vizier, III Douglas M Vizier Tommie Vizier, Jr Anh M Vo Chin Van Vo Dam Vo Dan M Vo Dany Vo Day V Vo Duong V Vo Dustin Vo Hanh Xuan Vo Hien Van Vo Hoang The Vo Hong Vo |

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| | | | Hung Thanh Vo Huy K Vo Johnny Vo Kent Vo (2) Man Vo Mark Van Vo Minh Hung Vo Minh Ngoc Vo Minh Ray Vo Mong V Vo My Dung Thi Vo My Lynn Vo Nga Vo Nhon Tai Vo Quang Minh Vo Sang M Vo Sanh M Vo Song V Vo TA Vo Tan Thanh Vo Thanh Van Vo Tom Vo Tong Ba Vo Trao Van Vo Truong Vo Van Vo Van Van Vo Benjamin S Vodopija James L Vogt Eddie J Voisin Jamie Voison Harold L Von Harten Richard Vongrith Kirk Vossler Hung Vu John H Vu Khanh Vu Khanh H Vu Quan Quac Vu Sac Vu Sean Vu Tam Vu Thiem Ngoc Vu Thuy Vu Tom Vu Tu Viet Vu W H Blanchard, Inc |

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| | | | W L & O, Inc Calvin J Wade, Jr Gerard Wade David M Waguespack, Sr Randy P Waguespack, II Vernon Wainwright Jerry Walker Rogers H Walker Dennis Wallace Edward Wallace John Wallace Trevis L Wallace Jack Waller, Jr John M Waller Craig A Wallis Keith Wallis Samuel G Walters Marion M Walton Edward Joseph Wannage Fred Wannage, Jr Frederick W Wannage, Sr Clarence Ward, Jr Clifford Washington John Emile Washington, III Kevin Washington Louis N Washington Cecil K Wattigney, Jr Michael Wattigney Brandon A Watts Warren Watts Waymaker, Inc We Three, Inc Bobby Webb Bobby N Webb Donald Webre Dudley A Webre Harold Webster Webster's Inc Don Franklin Weeks Weems Bros Seafood Co Laddie E Weems Barry C Weinstein Rodney Weiskopf Todd Weiskopf Amos J Welch Douglas E Wells Stephen Ray Wells |

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| | | | Steven W Wendling Charles W Wescovich Wesley Daryl Wescovich West Point Trawlers, Inc William J Whatley David L Whit Allen White, Sr Charles White Gary Farrell White James Hugh White Perry J White Raymond White Robert White, Sr John Wicher Chad M Wiggins, Sr Ernest Wiggins Harry L Wiggins Matthew Wiggins Gerald Anthony Wilbur Robert Wilcox Alfred Adam Wiles Glen Gilbert Wiles Sonny Joel Wiles, Sr Gene D & Judith Wilkerson William Riley Wilkinson William E Smith Jr, Inc Allen Williams, Jr Andrew Williams B Dean Williams Clyde L Williams Dale A Williams Emmett J Williams Herman J Williams, Jr J T Williams John A Williams Johnny Paul Williams Joseph H Williams Kirk Williams Leopold A Williams Mark A Williams Mary Ann C & Ronnie Williams Melissa A Williams Nina Williams Parish Williams Roberto Williams Scott A Williams Steven Williams |

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| | | | Thomas D Williams Richard L Williamson, Sr Derek C Willyard Donald R Willyard Alward Wilson Hosea Wilson Joe R Wilson Jonathan Wilson Katherine Wilson Allen Wiltz Melvin Wing Allen Wiseman Clarence J Wiseman, Jr Jean Wiseman Joseph A Wiseman Michael T Wiseman, Jr Michael T Wiseman, Sr (2) Charles Wolfe Woods Fisheries, Inc Curtis Wright Leonard Wright Randy D Wright Douglas Yeamans Neil Yeamans Ronnie Yeamans Peon Yoeuth Harold Yopp Milton Thomas Yopp James Young Taing Young Willie Young Patricia D Yow Richard C Yow Anthony V Zanca, Sr Ashley A Zar Carl J Zar John Zar, III Steve Zar Steven Zar Troy A Zar John S Zerinque, Jr Zirlott Trawlers, Inc Curtis Zirlott, Jr Jason D Zirlott Jeremy Zirlott Kimberly & Jeremy Zirlott Milton Zirlott |

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| | | | Perry Zirlott Rosa H Zirlott Brian C Zito Nguyen Q Zuan Michael A Zuvich, Jr |
| A-549-822 | 731-TA-1067 | Certain Frozen or Canned Warmwater Shrimp and Prawns/Thailand | A. J. Horizon, Inc Al J Abadie Anthony Abadie Charles Abner Steven Abraham Ace of Trade, LLC Dale J Ackerman Darryl L Acosta Jerry J Acosta, Sr Leonard C Acosta Wilson Acosta, Sr Ad Hoc Shrimp Trade Action Committee Denise T Adam Michael A Adam Richard B Adam, Jr Sherry P Adam William E Adam Alcide J Adams, Jr Dudley Adams Elizabeth Adams Ervin Adams George E Adams Hursy J Adams James Arthur Adams Kelly Adams Lawrence J Adams, Jr Randy Adams Ritchie Adams Steven A Adams Ted J Adams Tim Adams Whitney P Adams, Jr Ralph Agoff Ricardo Aguilar Roddy G Aguillard Don Ray Alario Nat Alario Pete J Alario Timmy Alario Craig J Albert Junior J Albert Aldebran, Inc |

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| | | | Everett O Alexander Benny J Alexie Corkey A Alexie Dolphy Alexie Felix Alexie, Jr Gwendolyn Alexie John J Alexie John V Alexie Larry J Alexie, Sr Larry Alexie, Jr Vincent L Alexie, Jr Barry S Alexis Craig W Alexis Michael & Monique Alexis Anthony E Alfonso, Jr Jesse Alfonso Nicholas Alfonso Paul A Alfonso Randy Alfonso Terry S Alfonso, Jr Vernon Alfonso, Jr Yvette Alfonso Angelo A Alimia, Jr Dean J Allemand Annie Allen Carolyn Sue Allen Jackie & Robin Allen Wayne Allen Wilbur L Allen Willie J Allen, III Willie Allen, Sr John Alphonso Alysia Renee, Inc Leo J Ancalade Claudene Ancar Jerry T Ancar Joe C Ancar Menlin Ancar, Sr William Ancar, Sr Gerald Ray Ancelet Andrew D Anderson Ernest W Anderson Jerry Anderson John Anderson Lynwood Anderson Melinda Rene Anderson Michael Brian Anderson |

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| | | | Ronald L. Anderson, Jr Ronald L. Anderson, Sr Ronnie Anderson, Jr Miguel Andonie Anthony R. Andrews Janice M. Andry Rodney S. Andry Angel Seafood, Inc. Angela Marie, Inc. Louis Angelle Eugene Anglada, Sr. Anna Grace LLC Annie Thornton, Inc. Lester Ansardi Darren Anselmi Apalachee Girl, Inc. Aparicio Trawlers Inc dba Marcosa Georgia P. Arabie Joseph Arabie Craig J. Arcement Donald Arcement, Sr. Lester C. Arcement Mathew J. Arceneaux Michael K. Arceneaux Christopher J. Areas John Armbruster, III Paula D. Armbruster Jude Armstrong, Jr. George Arnesen Lonnie L. Arnold, Jr. Joseph T. Arnona Robert Armondin Floyd Assavedo Gregory Kenneth Atwood Kenny Atwood Dewey F. Aucoin Earl Aucoin Laine A. Aucoin Perry J. Aucoin Dennis Austin Dennis J. Austin Brice Authement Craig L. Authement Dion J. Authement Dion S. Authement Gordon Authement Lance M. Authement |

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| | | | Larry Authement Larry Authement, Sr Roger J Authement Sterling P Authement Bobby Autin Bruce J Autin Kenneth D Autin Marvin J Autin Paul F Autin, Jr Roy Autin Albert J Avenel, Jr Conny Babb Brad Babin Joey L Babin Klint Babin Kirby Babineaux Vicki Babineaux Ke Van Bach Reo Long Bach Benny Backman Todd Badeaux Dewayne Baham Albert Bailey Antoine Bailey, III David B Bailey, Sr Don Bailey Clarence Baker Donald Earl Baker James Baker Kenneth Baker Antonio Balderas Richard Prentiss Baldwin Albert Ballard Barbara A Ballas Charles J Ballas John F Baltz Bama Sea Products, Inc John Ban Bruce K Bang Barbara Brooks, Inc Joe W Barbaree Mark A Barbe Louie W Barber, Sr Percy T Barbier Raymond A Barbour James E Bargainear George A Barisich |

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| | | | Barisich, Inc Joseph J Barisich Nathan Barnhill Clarence Barrios (2) Corbert J Barrios Corbert M Barrios David Barrios John Barrios Shane James Barrios Angela Gail Barrois Dana A Barrois Tracy James Barrois Wendell Jude Barrois, Jr Keith Barthe, Sr Allen M Barthelemy John A Barthelemy Rene T Barthelemy, Sr Walter A Barthelemy, Jr Mitchell Bartholomew Neil W Bartholomew Thomas E Bartholomew Wanda C Bartholomew Donald J Basse, Sr Mark Bates Ted Bates, Jr Vernan Bates, Jr Louis Battle Drake J Baudoin Murphy A Baudoin Stephen Baudouin Gary Bauer Glen P Baye Bayou Shrimp Processors, Inc Charles A Bean Glenn J Becnel Kent Becnel Carol F Beecher Ronald Beechler James E Bell Ronald A Bell Arnold Bellanger Clifton Bellanger Scott J Bellanger Derrell M Belsome Karl M Belsome Gary Lynn Bennett James W Bennett, Jr |

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| | | | Louis Bennett Francis Benoit Nicholas L Benoit Paula T & Tenna J Benoit, Jr Walter T Benton Ray W Berger Alfred S Bergeron Jeff Bergeron Nolan A Bergeron Ulysses J Bergeron Lamont L Bernard Mark J Berner Gerard J Berthelot, Sr James Berthelot Myron J Berthelot Jerl C Bertrand Best Sea-Pack of Texas, Inc Beth Lomonte, Inc Keith J Beverung Raymond W Bianchini Leo E Bickham Charles Bienvenu Big Grapes, Inc Jerry W Biggs, Sr Richard Billington Alfredia Billiot Arthur Billiot Aubrey & Betty Billiot Barell J Billiot Brian K Billiot Cassidy Billiot Charles Billiot, Sr Chris J Billiot, Sr E J E Billiot Earl W Billiot, Sr Ecton L Billiot Emary Billiot Forest Billiot, Jr Gerald Billiot Harold J Billiot Jacco A Billiot Jake A Billiot James Billiot, Jr Joseph S Billiot, Jr Laurence V Billiot Leonard F Billiot, Jr Lisa Billiot |

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| | | | Mary L Billiot Paul J Billiot, Sr Shirley L Billiot Steve M Billiot Thomas Adam Billiot Thomas Billiot, Sr Wenceslaus Billiot, Jr Alexander J Billiott Yale Biron William C Black Larry E Blackston Albert Blanchard Andrew J Blanchard Billy J Blanchard Cyrus Blanchard Daniel A Blanchard Dean Blanchard Douglas Blanchard, Jr Dwayne Blanchard Elgin Blanchard Gilbert Blanchard Jade Blanchard John F Blanchard, Jr Katie Blanchard Matt Joseph Blanchard Michael Blanchard Quentin T Blanchard Quentin Timothy Blanchard Roger Blanchard, Sr Quyen Bland Roy A Blouin Jack Blume, Jr Raymond Blunet, Sr Arturo Bodden Jasper Bodden Darren W Bolotte Larry F Bolton Bon Secour Boats, Inc Bon Secour Fisheries, Inc Paul J Bondi Jimmy J Bonvillain Donna M Bonvillian Clifton Felix Boone Donald F (Ricky) Boone, III Donald F Boone, II Gregory T Boone Noriss P Boquet, Jr |

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| | | | Wilfred Boquet, Jr Glenn Bordelon, Sr James P Bordelon Shelby P Bordelon Benny Borden Crystal & Edward Borne Dina L Borne Edward Borne, Jr Edward Borne, Sr Hubert L Bosarge Robert Bosarge Durel A Boudlauch, Jr Larry Terrell Boudoin Nathan Boudoin Brent J Boudreaux Elvin J Boudreaux, III James C Boudreaux, Jr James N Boudreaux Jessie Boudreaux Leroy A Boudreaux Mark Boudreaux Paul Boudreaux, Sr Richard D Boudreaux Ronald Boudreaux, Sr Sally Boudreaux Veronica Boudreaux Dwayne Boudwin Jewel James Boudwin, Sr Wayne Boudwin Norman Bouise Irwin J Boulet, Jr Debra Boullion Allen T Bourg Benny Bourg Chad J Bourg Channon Bourg Chris Bourg Douglas Bourg Glenn A Bourg Jearmie Bourg, Sr Kent A Bourg Mark Bourg Nolan P Bourg Ricky J Bourg Albert P Bourgeois Brian J Bourgeois, Jr Daniel Bourgeois |

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| | | | Dwayne Bourgeois Jake Bourgeois Johnny M Bourgeois Johnny M Bourgeois, Jr Leon A Bourgeois Louis A Bourgeois Merrie E Bourgeois Randy P Bourgeois Reed Bourgeois Webley Bourgeois Chris Bourn Murphy Paul Bourque Ray Bourque Duvic Bousegard, Jr Manuel J Boutte, Jr Colbert A Bouvier, II Dale J Bouzigard Edgar J Bouzigard, III Eeris Bouzigard Harold Bowers Tommy Bowers Danny Boy David E Boyd, Sr Elbert Boyd Darren L Boykin Thomas C Boykin James Bradley Brian Brady Kay Brandhurst Ray E Brandhurst, Sr David G Braneff William P Brannan Donald James Branom, Jr James M Braud Frank J Brazan Irvin F Breaud, Jr Barbara & Shelby Breaux Brian J Breaux Charlie M Breaux Clifford Breaux Colin E Breaux Daniel Breaux, Jr Larry J Breaux Robert J Breaux, Jr Robert F Briscoe, Jr L D Britsch, Jr Dwayne E Broussard |

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| | | | Eric Broussard Keith Broussard Larry Broussard Mark A Broussard Roger David Broussard Roger R Broussard Steve P Broussard Cindy B Brown Colleen Brown Donald G Brown John W Brown Paul R Brown Toby H Brown Adam J Bruce Bob R Bruce Daniel M Bruce, Sr Emelda L Bruce Gary J Bruce, Sr James P Bruce Lester J Bruce, Jr Margie L Bruce Mary P Bruce Nathan Bruce Robert Bruce Russell Bruce Peter Brudnock, Sr Elton J Brunet Joseph Brunet Joseph A Brunet Levy J Brunet, Jr Bryan Fishermens' Co-op, Inc David N Bryan Ina Fay V Bryant Jack D Bryant, Sr James L Bryant Bubba Daniels, Inc Ernest Buford Ben Bui Dich Bui Dung Thi Bui Huong T Bui Ngan Bui Nhuan Bui Nuoi Van Bui Tai Bui Tieu Bui Tommy Bui |

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| | | | Bumble Bee Seafoods, LLC Belvina (Kenneth) Bundy Kenneth Bundy, Sr Nicky Bundy Ronald J Bundy John Buquet, Jr Clayton M Buras Leander Buras Robert M Buras, Jr Waylon J Buras Elliott C Burlett John C Burlett, Jr Burnell Trawlers, Inc Charles R Burnell Deanna Lea Burnham Stuart E Burns Lindsey Hilton Burroughs, Jr Ronnie Burton Hardy E Busby Tex H Busby Robert A Bush Tyler Bussey Dorothy Butcher Rocky J Butcher Albert A Butler Aline Butler Johnny Bychurch Johnny Bychurch, Jr Alex Cabanilla Jose Santos Caboz Anthony Cacioppo, Jr Mae Quick Cadere Ronald Cadere Jack Cahill Stanford Caillouet, Jr Jerry Lane Caison, Jr Stephen P Calcagno, Sr John S Calderone Gene P Callahan, Sr Michael J Callahan Russell Callahan Ann Callais Franklin D Callais Gary D Callais Michael Callais (2) Sandy Callais Terrence Callais |

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| | | | Anna Camardelle Chris J Camardelle David Camardelle Edward J Camardelle, III Edward Camardelle, Jr Harris A Camardelle Knowles Camardelle Noel T Camardelle Tilman Camardelle, Jr John A Caminita, III Donald Paul Campo Kevin Campo Nicholas J Campo Roy Campo Roy Campo, Sr Ernest M Camus, Jr Carl Canova Alvin Cantrelle Eugene J Cantrelle Otis A Cantrelle Otis Cantrelle, Jr Phillip A Cantrelle Tate Cantrelle Robert Joseph Cauty Binh Cao Quang Billy Viet Cao Dan Dien Cao Dung Van Cao Heip A Cao Huyen Linh Cao Nghia Thi Cao Si-Van Cao Thanh Kim Cao Tuong Van Cao Capt Chance, Inc Capt. Aaron Capt. Bean (Richard A Ragas) Capt. Bubba, Inc Capt. Carlos Trawlers, Inc Capt. Craig, Inc. Capt. Dickie V, Inc Capt. Doug Capt. GDA, Inc Capt. JDL, Inc Capt. Jimmy Inc Capt. Ken Capt. Seth, Inc |

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| | | | Capt. Wally, Inc Captain Arnulfo, Inc Jack G Carinhas, Jr Gregory Carlos Irvin Carlos Carly Sue, Inc David J Carmadelle Rudy J Carmadelle Larry G Carmandelle Carolina Sea Foods, Inc Anthony T Carrere, Jr Larry J Carrier Carson & Co, Inc Michael Caruso David W Casanova, Sr Alphonse G Cassagne, III Alphonse G Cassagne, IV Joseph Casso Gilbert Castelin Sharon Castelin Raul L Castellanos John A Castelluccio, Jr Joshua Castille Adolph Caulfield, Jr Hope Caulfield James & Jean Caulfield Salvador Cepriano Julius W Cerdas, Jr Marla Cerise CF Gollott and Son Seafood, Inc John Chabert Dean J Chaisson Henry Chaisson Vincent A Chaisson Thomas B Chaix, III Brian Champagne Harold P Champagne Kenton Champagne Leroy Champagne Lori Champagne Timmy D Champagne Willard Champagne Kim J Champlin Jason Chance Jeff Chancey Arturo Chapa Robert G Chaplin, Sr |

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| | | | Saxby S Chaplin Charlee Girl Christopher Charles Charlotte Maier, Inc Allen J Charpentier Alvin Charpentier Daniel J Charpentier Lawrence Charpentier Linton Charpentier Melanie Charpentier Murphy Charpentier, Jr Robert J Charpentier Michelle Chartier Minh Huu Chau Anthony Chauvin Anthony P Chauvin, Jr Carey M Chauvin David James Chauvin James E Chauvin Kimberly Kay Chauvin Alton Bruce Cheeks Ricky Chenier Alan Cheramie Alan J Cheramie, Jr Alton J Cheramie Berwick Cheramie, Jr Berwick Cheramie, Sr Daniel James Cheramie, Sr Danny Cheramie David J Cheramie David P Cheramie Dickey & Robbie Cheramie Donald Cheramie Enola & Murphy J Cheramie Flint Cheramie Harold L Cheramie Harry Cheramie, Jr Harry Cheramie, Sr Harvey Cheramie, Jr Harvey Cheramie, Sr Henry J Cheramie, Sr James Cheramie James A Cheramie Jody P Cheramie Joey J Cheramie Johnny Cheramie Joseph Cheramie |

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| | | | Lee Allen Cheramie Linton J Cheramie Mark A Cheramie Murphy J Cheramie Nathan A Cheramie, Sr Neddy P Cheramie Nicky J Cheramie Ojess M Cheramie Paris P Cheramie Robbie Cheramie Rodney E Cheramie, Jr Ronald Cheramie Roy Cheramie Roy A Cheramie Sally K Cheramie Terry J Cheramie Timmy Cheramie Tina Cheramie Todd Cheramie Tommy Cheramie Wayne A Cheramie Wayne F Cheramie, Sr Wayne J Cheramie Webb Cheramie, Jr Mitch Chevalier Thomas J Chew Jody J Chiasson Manton P Chiasson, Jr Gordon Childress Arthur Chisolm Henry Chisolm, Jr David Christen, Jr Vernon Christen Long V Chung Ngo V Chuong Vance Ciaccio Bozidar Cibilic John Cieutat Albino Cisneros James M Clark Jenings Clark Mark A Clark Ricky L Clark Michael A Cobb Jimmy Cochran Ernest Coleman Freddie Coleman, Jr |

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| | | | Rodney A Colletti Ervin J Collier Wade Collier Bernard J Collins Bruce J Collins, Jr Donald Collins Earline Collins Eddie F Collins, Jr Jack Collins (2) Julius Collins Lawson Bruce Collins, Sr Lindy S Collins, Jr Logan A Collins, Jr Robert Collins Timmy P Collins Vendon Collins, Jr Wilbert Collins, Jr Woodrow Collins Chris & Michelle Colson Michael J Comardelle Allen J Comeaux Curtis J Compeaux Gary P Compeaux Harris Compeaux Jody Cone Van Phan Cong Mario Contreras Edwin A Cook, Jr Edwin A Cook, Sr Joshua Cook Larry R Cook, Sr Theodore D Cook Ernest Neal Cooksey Acy J Cooper, III Acy J Cooper, Jr Acy Cooper, Sr Christopher W Cooper Jon C Cooper Marla F Cooper Vincent J Cooper John R Copeman Roger Cornwall Brenda M & Daniel Cortez Cathy & Curtis Cortez Edgar Cortez Keith J Cortez Leslie J Cortez |

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| | | | Robert K Cosse Clayton Coston John Gordon Cotsovolos Allen J Coulon, Jr Allen J Coulon, Sr Amy M Coulon Cleveland F & Earline N Coulon Darrin M Coulon Don Coulon Ellis Coulon, Jr Country, Inc Ronnie Courville Michael Dudley Cowdrey Michael Nelson Cowdrey Michael T Crain Brian D Crawford Steven J Crawford Quentin Creamer Todd A Credeur, Sr Tony J Credeur Carlton Creppel Catherine Creppel Craig Creppel Freddy Creppel Isadore Creppel, Jr Julinne G Creppel, III Kenneth Creppel (2) Nathan J Creppel, Jr Michael P Creppel Charles J Cristina Sterling James Crochet Tony J Crochet Benjy J Crosby Darlene Crosby Leonard W Crosby, Jr Ted J Crosby Thomas Crosby Lonnie Crum Melinda Cabbage Anthony J Cuccia Anthony J Cuccia, Jr Kevin Cuccia Bryan E Cumbie Hung Cuong Mike Cure Keith J Curole Kevin P & Margaret B Curole |

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| | | | Willie P Curole, Jr Custom Pack, Inc Jason Cutrer T Cvitanovich D.G. & R.C., Inc D.S.L & R., Inc DaHa, Inc/Cat'Sass Alfred Daigle David J Daigle E J Daigle Glenn Daigle Jamie J Daigle Jason Daigle Kirk Daigle Leonard P Daigle Lloyd Daigle Louis J Daigle Melanie Daigle Michael & JoAnne Daigle Michael J Daigle Nona & Cleve Daigle Jeff Daisy Cleveland L Dale David Dang Khang Dang Loan Thi Dang Minh Dang Tao Kevin Dang Thang Duc Dang Thien Van Dang Thuy Dang Van D Dang David Daniels Henry Daniels Leslie Daniels Albert Danos, Sr James A Danos Jared Danos Oliver Danos Oliver J Danos Ricky P Danos Rodney Danos Timothy A Danos Debi d'Antignac Jack d'Antignac Archie A Dantin Mark S Dantin, Sr |

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| | | | Stephen Dantin, Jr Paul Dao Vang Dao Chrysti Dao-Nguyen Albert L Darda, Jr Gertrude & Herbert Darda J C Darda Jeremy & Tammy Darda Trudy Darda Alvin Dardar Basil Dardar, Sr Basile J Dardar Cindy Dardar David Dardar Donald S Dardar Edison S Dardar, Sr Gayle & Gilbert Dardar Isadore J Dardar, Jr Jacqueline Dardar Jonathan M Dardar Lanny Dardar Larry J Dardar Mary Dardar Neal A Dardar Norbert Dardar Percy B Dardar Rose Dardar Rusty J Dardar Samuel Dardar Summersgill Dardar Terry & Patti V Dardar Toney M Dardar, Jr Toney Dardar, Sr Stephen Dargis Louis Dassau David Gollott Sfd Inc Philip J David, Jr Cliff Davis Daniel A Davis Danny A Davis James Davis John W Davis Joseph D Davis Michael Steven Davis Ronald B Davis William T Davis, Jr William Theron Davis |

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| | * | | Ilene L Dean John N Dean Stephen Dean Deau Nook Brian K DeBarge Thomas D & Sherry DeBarge Debbe Anne, Inc John Decoursey Walter Dedon Deep Sea Foods, Inc/Jubilee Foods, Inc Darryl Deere David E Deere Dennis H Deere Robin & Tracie L Defelice Ashton J DeHart, Sr Bernard J Dehart Blair Dehart Clevis Dehart Clevis Dehart, Jr Curtis P DeHart, Sr Eura Dehart, Sr Ferrell Dehart Leonard M Dehart David E DeHillier Chris N DeJean, Jr & Chris N DeJean, Sr Bonnie D Dekemel WM Dekemel, Jr Avery T DelaCruz Ten Chie & Paul Delande Michael J Delatte, Sr Kip M Delaune Thomas J Delaune Todd J Delaune Carroll A Delcambre Jesse Delgado Carlton & Lorene Delino Stephen W Deloach, Jr Herman J Demoll, Jr Herman J Demoll, Sr James C Demoll, Jr Ralph Demoll Robert C Demoll Terry R Demoll Freddy Demolle Otis Demolle Fred Dennis Barbara H Deroche |

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| | | | Caghe Derouen Rodney Deshotel David DeSilvey Byron J Despaux Byron J Despaux, Jr Glen A Despaux Ken Despaux Kerry Despaux Suzanne Despaux David E Detillier Bobby C DeVaney, Jr Wesley Frank Dickey Vu Diep Anita & Corbert Dinger, Sr Eric Dinger Mark H Dinger Chau T Dinh Khai Duc Dinh Lien Dinh Toan Dihn Ernest Dion Paul A Dion Thomas Autry Dion Paul A Disalvo Robert E Dismuke, Sr Dominick Ditcharo, III David Dixon Cuong V Do Dan C Do Dung V Do Hai Van Do Hieu Do Hong Ky Do Hung Do Hung V Do Johnny Do Kiet Van Do Ky Quoc Do Lam Do Liet Van Do Luong Van Do Minh Do Minh Van Do Nghiep Van Do Ta Do (2) Ta Phon Do Thanh V Do |

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| | | | Theo V Do Tinh Do Tinh A Do Tri Do Joseph Doan Minh Doan & Liem Doan Ngoc Doan Darryl Domangue Emile Domangue Mary Domangue Michael Domangue Paul Domangue Ranzell Domangue, Sr Stephen Domangue Westley Domangue Carolyn Domingo Amy R Dominique Gerald Dominique Ernest N Donini David C Donnelly Holly M Donohue Donovan Tien I & II Denise F Dooley Craig B Dopson Presley J Dore Preston J Dore, Jr Janthan C Dorr, Jr Paul J Doucet, Sr Colleen Downey Robert Lee Doxey, Sr Ruben A & William L Doxey John T Doyle Dragnet, Inc John Drawdy Bruce W Drury, Jr Bruce W Drury, Sr Bryant J Drury Eric S Drury Helen M Drury Jeff Drury, III Kevin Drury Kevin S Drury, Sr Steve R Drury Steven J Drury James F Dubberly (3) James Michael Dubberly James Michael Dubberly, Jr |

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| | | | John J Dubberly Euris A Dubois John D Dubois, Jr Lonnie J Dubois Louuie J Dubois Kermit Paul Duck Anthony Dudenhefer Connie S Dudenhefer Eugene A Dudenhefer Milton J Dudenhefer, Jr Brad J Duet Darrel A Duet Guy Duet Jace J Duet Jay Duet John P Duet Larson Duet Ramie Duet Raymond J Duet Tammy B Duet Tyrone Duet Archie Dufrene Charles Dufrene Curt F Dufrene Elson A Dufrene Eric Dufrene Eric F Dufrene, Jr LLC Golden J Dufrene Jeremy M Dufrene Juliette B & Scottie M Dufrene Leroy J Dufrene Milton Dufrene Ronald A Dufrene, Jr Ronald A Dufrene, Sr Toby Dufrene Edward A Dugar, II Donald John Dugas Edward A Dugas, III Henri J Dugas, IV Greta Duhe Dunamis Towing, Inc Faye E & Gary Duncan Loyde C Duncan Bob Dunn Billy Duong Chamroeun Duong E M Duong |

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| | | | Ho T Duong Kong Duong Mau Duong Blair P Duplantis David Duplantis Frankie J Duplantis Maria Duplantis Teddy Duplantis Wedgir Duplantis, Jr Anthony James Duplessis, Sr Bonnie S Duplessis Clarence R Duplessis Brandon P Dupre Cecil Dupre David A Dupre Davis J Dupre, Jr Easton J Dupre Jimmie Dupre, Sr Linward P Dupre Mary L Dupre Michael J Dupre Michael J Dupre, Jr Randall P Dupre Richard A Dupre Rudy P Dupre Ryan A Dupre Tony J Dupre Troy A Dupre Bryan Dupree Derrick Dupree Malcolm J Dupree, Sr Clayton J Dupuis Walter Y Durand Melvn A Dusang Denvil H Duval, Sr Wayne Duval Nadine D Dyer Bert L Dykes Adley L Dyson, Jr Adley L Dyson, Sr Amy Dyson Casandra Dyson Clarence Dyson, III Jimmy L Dyson, Sr Jimmy Dyson, Jr Kathleen Dyson Maricela Dyson |

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| | | | Phillip Dyson, II Phillip Dyson, Sr William Dyson Bill Eckerd Angela B Edens Donnie Edens Jeremy Donald Edens Nancy M Edens Steven L Edens Timothy Dale Edens Daniel Edgar Joey Edgar Roosevelt Edgerson Edward Garcia Trawlers Tommy Edwards Jody D Ellerbee David Ellison, Jr Elmira Pflueckhahn, Inc Alfred Encalade, Jr Anthony T Encalade Cary Encalade Joshua C Encalade Stanley A Encalade Joseph L Enclade Michael Enclade & Jeannie Pitre Rodney J Enclade Alfred Englade A L Ennis, Jr Enterprise Inc Grant Erickson Carroll Erlinger Gary R Erlinger Keith A Eschete Benny A Esfeller Kenneth Eskine Ernest J Esponge David James Estaves, Sr Ricky Joseph Estaves Allen J Estay Wayne Estay Anthony E Esteves, Jr Orestes Estrada Emile J Evans, Jr Kevin J Evans Lester Evans Lester J Evans, Jr Tracey J Evans, Sr |

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| | | | George C Everson Brian P Eymard, Sr Jervis J & Carolyn B Eymard Morris C Fabiano Mark Fabra Alton Fabre, Jr Ernest J & Peggy B Fabre Kelly V Fabre Sheron Fabre Terry A Fabre Wayne M Fabre Mitchell J Falcon Barney Falgout Jerry P Falgout Leroy J Falgout Timothy J Falgout Barry Fanguy Thomas J Farris Christopher J Fasone William J Fasone Lester J Faulk Thomas J Favaloro Michael Favre, Jr Jeffery Fazende Thomas Fazende Thomas G Fazende Anthony Fazzio Douglas Fazzio Maxine & Steve Fazzio E J Felarise Wayne A Felarise, Sr Laudelino Fernandez Audrey B Ferrara Dominick Ficarino, Jr Bryan Fields Anthony F Fillinich Anthony Fillinich, Sr Jack Fillinich Penny Fincher William Fincher Burton E Fisch Kelly Fisher Kirk Fisher Kirk A Fisher Fisherman's Reef Shrimp Co Adam Fitch Hanson Fitch |

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| | | | Burnell Fitzgerald Kirk Fitzgerald Kirk D Fitzgerald Ricky J Fitzgerald, Jr John M Fleming Meigs F Fleming Mike Fleming Dana Flick Helena D Flores Thomas Flores Steve W Flowers Vincent F Flowers David M & Mary Folse Heath Folse Ronald B Folse Francis Fonseca, Sr William S Fontaine Peggy D Fontenot Judy Ford Warren Wayne Ford Ralph Foreman, Jr Alva J Foret Billy J Foret Brent J Foret Glenn Foret Houston Foret Lovelace A Foret, Sr Loveless A Foret, Jr Mark M Foret Patricia C Foret David P Forrest John Forsythe Fortune Shrimp Co, Inc Michael A Fortune George J France Albert Francis James K Franklin Anthony Frankovich Michael Franks Richard Wayne Frauenberger David J Frazier David M Frazier James Frazier Michael Frazier Davis Frederick Johnnie & Jeannie Frederick Michael Frederick |

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| | | | Freedom Fishing, Inc Arthur D Freeman Darrel P Freeman, Sr Larry Scott Freeman Charles P Frelich Floyd J Frelich Kent Frelich Doug Frerics Albert R Frerks, Jr Darell Frickey Darren Frickey Dirk I Frickey Eric J Frickey Harry J Frickey, Jr Jimmy Frickey Rickey J Frickey Westley Frickey Brad Friloux Jeanette M Frisella Jerome A Frisella, Jr Wade P Fruge G & O Shrimp Co, Inc G. R. LeBlanc Trawlers, Inc James Gadson Dwayne Gaines Christine Gala Jess J Galjour Reed Galjour John W Gallardo Anthony Galliano Horace J Galliano Joseph Galliano, Sr Logan J Galliano Lynne L Galliano Moise Galliano, Jr A T Galloway, Jr Giles F Galt Luvencie J Gambarella Kristine Ganoi Ana M Garcia Anthony Garcia Edward Garcia Joseph Garcia Kenneth Garcia Larry S Garner Dalton J Gary Ernest J Gary |

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| | | | Leonce Gary, Jr Andrew Garza Jose H Garza Elbert Clinton & Sandra Gaskill Timothy Gaspar Dudley A Gaspard, Jr Hazel C Gaspard & Aaron Gaspard Leonard J Gaspard Michael Gaspard, Sr Murry Gaspard Murry A Gaspard, Jr Murry Gaspard, Sr Murvin Gaspard Ronald W Gaspard, Sr Ronald Wayne Gaspard, Jr Elizabeth & Gregory M Gaubert Melvin Gaubert Allen J Gaudet, IV Ricky Gaudet, Jr Hewitt J Gauthier, Sr William A Gautreaux Norman F Gay Robert G Gay Daryl G Gazzier Emanuel A Gazzier Wiltfred E Gazzier William F Gegenheimer James Geiling Tony Geisman Robert Gentry Samuel W Gentry, Jr James J George, Jr Clara Gerica Peter Gerica Corey P Giambrone Eddie E Gibson Joseph Gibson Ronald F Gibson James D Gillikin Chad Paul Girard Mark Giroir Anthony J Gisclair Anthony Joseph Gisclair, Sr August Gisclair Dallas J Gisclair, Sr Doyle A Gisclair Kip J Gisclair |

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| | | | Romona Gisclair Wade Gisclair Walter Gisclair Charles D Glover Larry Glynn George Goetz Robert E Goings Gold Coast Seafood, Inc Golden Gulf Coast Pkg Co, Inc George T Golden William L Golden Brian Gollot Edgar R Gollot Gollott Brothers Sfd Co, Inc Arnold Gonzales, Jr Mrs Cyril E Gonzales, Jr Rene R Gonzales Rudolph S Gonzales Rudolph S Gonzales, Jr Rudolph S Gonzales, Sr Sylvia A Gonzales Tim J Gonzales Jorge Gonzalez, Jr Donald E Gordon Patrick Alvin Gordon Jean J Gordstnoven Henry H Gore Isabel Gore Thomas L Gore Timothy A Gore Gregory Gottschalk Harold C Gourgues, Jr Tony C Goutierrez Darrell Graham Steven H Graham Grandpa's Dream Albert J Granger, Sr Stephen Granier Michael Grass Robert N Graves, Sr Jeannette Gray Monroe & Shirley E Gray Wayne A Gray, Sr Ruston Graybill Craig X Green James W Green, Jr Shaun Green |

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| | | | W C Greenlaw, Jr Ernest L Gregoire Rita M Gregoire Curtis B Gregory Mercedes E Gregory Raymond L Grice, Jr Alden J Griffin, Sr David D Griffin Elvis Joseph Griffin, Jr Faye Griffin Faye Ann Griffin Jimmie J Griffin Nolty J Griffin Rickey Griffin Sharon Griffin Timothy Griffin Troy D Griffin Alfred A & John Groff Hank Groover Brent J Gros, Sr Craig J Gros Danny A Gros Gary Gros, Sr Junius A Gros, Jr Keven Gros Michael A Gros Homer Gross Janet M & Tate Grossie Shane A Grossie Jimmie C Grow John Guenther, Jr Raphael Guenther Bruce Guerra Chad L Guerra Fabian C Guerra Guy A Guerra Kurt P Guerra, Sr Ricky J Guerra Robert Guerra Ryan Guerra Troy A Guerra William Guerra, Jr Warren J Guidroz Alvin A Guidry Andy J Guidry Arthur Guidry Bud Guidry |

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| | | | Calvin P Guidry & Holly A Guidry-Calva Carl J Guidry Charles J Guidry Chris J Guidry Clarence P Guidry Clark Guidry Clint Guidry Clinton P Guidry, Jr Clyde A Guidry David Guidry Dobie Guidry Douglas J Guidry, Sr Elgy Guidry, III Elgy Guidry, Jr Elwin A Guidry, Jr Gerald A Guidry Gordon Guidry, Jr Guillaume A Guidry Harold Guidry Jason Guidry Jessie J Guidry (2) Jonathan Guidry Joseph T Guidry Keith M Guidry Kenneth J Guidry Kerry A Guidry Marco Guidry Michael J Guidry Nolan J Guidry, Sr Randy Peter Guidry, Sr Rhonda S Guidry Robert C Guidry Robert J Guidry Robert W Guidry Roger Guidry Ronald Guidry Roy Anthony Guidry Roy J Guidry Tammy Guidry Thomas P Guidry Timothy Guidry Troy Guidry (2) Ulysses Guidry Vicki Guidry Wayne J Guidry Wyatt Guidry Yvonne Guidry |

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| | | | Donald J & Lou Guilbeax Shirley Guillie Horace H Guillory Benjamin J Guillot, Jr Rickey A Guillot Gulf Crown Seafood Co, Inc Gulf Fish, Inc Gulf Island Shrimp & Seafood II, LLC Gulf Shrimp Gulf Sweeper, Inc (Trawler Gulf Sweeper) Gulf Trawlers Lee Gulledege Anita Gutierrez Jody Guy Kimothy Paul Guy Wilson Guy Cherie Lan Ha Co Dong Ha Lai Thuy Thi Ha Lyanna Ha Johnny Hafford Hagan & Miley, Inc Robbin Richard Haiglea William E Hales Rhonda L Halili Byron S & Lorrie A Hall Darrel T Hall, Sr Michael P Hammer Julius Michael Hammock William Handlin, Sr Cam T Hang Chris Hansen Eric P Hansen Edmond A Hanson Louis Harbison Louis Hardison John C Hardy Sharon Hardy Londrie Harley Michelle Harmon George J Harrington Jay Harrington Bobby D Harris Buster Harris Jimmy Wayne Harris, Sr Johnny Ray Harris Kenneth A Harris |

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| | | | Susan D Harris William Harris Daniel L Harrison Leon M Hartmann, Jr Walter Hartmann, Jr Errol Henry Hattaway Kenneth Haycock Gregory Haydel Clinton Hayes (C&S Enterprises of Brandon, Inc) Katherine F & Lod Hayes, Jr Hong Hean Walter Heathcock, Jr Albert Joseph & Betty Jo Hebert Bernie Hebert Chris Hebert Craig J Hebert David Hebert David Hebert, Jr Earl J Hebert Eric J Hebert Jack M Hebert Johnny Paul Hebert Jonathan Hebert Jules J Hebert Kim M Hebert Lloyd S Hebert, III Michael J Hebert Myron A Hebert Norman Hebert Patrick Hebert Patrick A Hebert Pennington Hebert, Jr Philip Hebert Robert A Hebert Terry W Hebert Gerald J Hedrick, Jr Helen E, Inc Helen Kay, Inc Claudia A & Gerry J Helmer Herman C Helmer, Jr Kenneth Helmer Larry J Helmer, Sr Michael A Helmer, Sr Rusty L Helmer Windy Helmer Brad Henderson Curtis Henderson |

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| | | | David A Henderson, Sr & David A Henderson, Jr Olen Henderson P Loam Henderson Joanne Henry Rodney Henry Patrick & Terry Herbert Rodney O Hereford, Jr Rodney O Hereford, Sr Corey Hernandez Mark Herndon Charles W Hertel Edward C Hertz, Sr Allen L Hess Allen L Hess, Sr Henry D Hess, Jr Jessica R Hess Wayne B Hess James Hewett Hi Seas of Dulac, Inc John Hickman James W Hicks Larry W Hicks Walter R Hicks Nguyen Hien Joseph J Higgins, III Darren S Hill Joseph R Hill Sharon Hill Willie E Hill, Jr Herman W Hills Barbara E & Roland T Hingle, Jr Rick A Hingle Roland T Hingle, Sr Ronald J Hingle R Hinojosa Randy Hinojosa Ricky A Hinojosa Nicole Marie Hipps Dung Tan Ho Hung Ho Jennifer Ho Lam Ho Nga T Ho O Ho Sang N Ho Than H Quoc Ho Thanh Q Ho |

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| | | | Thanh Qisoe Ho Thien Dang Ho Tien Van Ho Tri T Ho Dung T Hoang Hoa Hoang John & Julie Hoang Julie Hoang Kimberly Hoang Linda Hoang Loan Hoang Tro Van Hoang Trung Kim Hoang Trung Tuan Hoang Ly Hoc Harry K Hoffpaviz Boyce Dwight Holler, Jr Dennis J Hollier Carl D Holloway Home Loving Care, Co Malcolm Hood Douglas Hopton Shawn Horaist Warren L Hostetler, II Claude Hotard Emile J Hotard, Jr Jeff B Howard Wendell Howerin, Sr Keith Hubbard Perry Hubbard Berry T Huber Charles A Huber Irma Elaine Huck Steven R Huck Harold Huckabee Patrick A Hue Brad J Hughes Thomas Hults Daniel Hutcherson Douglas Hutchinson George D Hutchinson William H Hutchinson Cynthia E & Henry G Hutto, Jr Hai Van Huynh Dung Huynh Dung V Huynh Hai Huynh (2) |

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| | | | Hoang D Huynh Hoang Van Huynh Hung Huynh Johnnie Huynh Kim Huynh Lay Huynh Long Huynh Mack Van Huynh Mau Van Huynh Minh Huynh Minh V Huynh Nam Van Huynh Thai Huynh Thanh Huynh The V Huynh Tri Huynh Truc Huynh Tu Huynh (2) Van X Huynh Viet Van Huynh Joseph Hymel, Jr Michael D Hymel Nolan J Hymel, Sr Independent Fish Company, Inc Herbert W Ingham Richard M Inglis Joseph S Ingraham Integrity Fisheries, Inc International Oceanic Ent William B Ipock Isabel Maier, Inc George Iver, Jr J & J Rentals, Inc Carl John Jackson David Jackson Eugene O Jackson Glenn C Jackson, Jr Glenn C Jackson, Sr James Jerome Jackson John D Jackson John E Jackson, Sr Levi Jackson Nancy L Jackson Robert W Jackson Shannon Jackson Shaun C Jackson Steven A Jackson |

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| | | | <p>Jacob A, Inc Ronald R Jacob Warren J Jacob, Jr Lawrence F Jacobs Billy & Marilyn Jarreau James D Jarvis Emma Jaye JBS Packing Co, Inc Vincent R Jeanfreau William Jefferies Timothy Michael Jemison, Sr Jacobs Jennings Jesse Shantelle, Inc Harold J Joffrion, Jr Montha Jok & Tan No Le Albert F Johnson Ashley L Johnson Bernard Johnson, Jr Brent W Johnson Bruce W Johnson Carl S Johnson Carolyn Johnson Clyde Johnson, Sr David G Johnson David Paul Johnson Gary Allen Johnson, Sr George D Johnson Randy J Johnson Regenia Johnson Robert Johnson Ronald Ray Johnson, Sr Steve Johnson Thomas Allen Johnson, Jr Ronald Johnston Nicholas J Joly, Jr Charles Jones Clinton & Daisy Mae Jones Jerome N Jones, Sr John W Jones Larry Jones Len Jones Michael G Jones, Sr Paul E Jones Perry T Jones, Sr Ralph William Jones Richard G Jones, Sr Stephen K Jones</p> |

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| | | | Joni John, Inc (Leon J Champagne) Donald F Joost Dean Jordan Hubert W Jordan, III (Bert) Hubert W Jordan, Jr Joseph Anthony Ramon G Judalet William Roger Judy Ida Julian John I Julian, Sr Julie Ann LLC Julie Shrimp Co, Inc (Trawler Julie) Julio Gonzalez Boat Builders, Inc Anthony Juneau, Sr Bruce Juneau Robert A & Laura K Juneau, Jr Leander J Jurjevich K & J Trawlers Jules B Kain, Sr Martin A Kain Kandi Sue, Inc Chamroeun Kang Sambo Kang Brenda Kap KBL, Corp Robert M Keenan Robert Steven Keer Kenneth & Roxanne Kellum, Sr Larry Gray Kellum, Sr Roger B Kelly Thomas E Kelly Chuck J Kendrick Michael S Kennair Dothan Kennedy Kenneth Garcia Trawlers David Kenney, Jr Robert W Kenney Michael A Kent Bunly Keo Steve Kerchner Thurmond Kern Sochenda Khin Lep & Nga Ho Khui Frank Kidd Hank J Kiff Melvin Kiff Horace Kiffe |

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| | | | <p> Puch Kim Carson Kimbrough Soeun Kim-Tun Andy A King James B & Wesley King Thornell King An Kit Anthony J Kizer Robert Kleimann Robert Klein Alton P Knapp, Jr Alton P Knapp, Sr Ellis L Knapp, Jr Melvin L Knapp Theresa Knapp Frederick Knecht, Jr Lee Knezek George Knight Keith B Knight Knight's Seafood Inc Howard J Koch Seng Kong Bobby Konitz Curtis S Koonce Howard N Koonce Mark L Kopszywa Stanley J Kopszywa Stejepan Kotulja Bridget Kraemer Wilbert Kraemer, Jr David Kramer Arthur Krantz, Jr Lori Krantz Ronald A Kreger, Sr Roy J Kreger, Sr Ryan A Kreger Raymond A Krennerich Frank D Kruth Alphonse L Kuchler, III Bruce A Kuhn, Sr Gerard R Kuhn, Jr Gerard R Kuhn, Sr Deborah & Robert Michaels Kuhns L & O Trawlers, Inc L.W. Graham, Inc La Pachita, Inc Kerry LaBauve </p> |

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| | | | Sabrina LaBauve Terry LaBauve Todd A LaBiche Carroll LaBove Frederick P LaBove Jacqueline Lachica Douglas Lachico Tony C Lacobon Tommy W Lagoon Broddie LaCoste Carl LaCoste Dennis E LaCoste Grayland J LaCoste Malcomb LaCoste, Jr Melivn LaCoste Ravin LaCoste, Jr Ravin LaCoste, Sr Clarence J Ladner, III Earlene G Ladson Lady Barbara, Inc Lady Katherine, Inc Lady Kelly, Inc Lady Melissa, Inc Douglas A LaFont, Sr Edna S LaFont Lafont, Inc Jackin Lafont Noces J LaFont, Jr Weyland J LaFont, Sr Lafourche Clipper, Inc Joseph T LaFrance Frank N Lagarde Gary Paul Lagarde Hen K Lai Then Lai Cang Van Lam Cui Lam (2) Dong Lam Dong Van Lam Lan Van Lam Lee Phenh Lam Qui Lam Sochen Lam Tai Lam Tihn Huu Jessie J Lambas, Sr Clarence Lander, III |

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| | | | David A Landry Dennis J Landry Edward N Landry, Jr George Landry (2) James F Landry Jude C Landry Robert E Landry Ronald J Landry Samuel J Landry, Jr Tracy Landry Daniel E Lane Lance Lapeyrouse Rosalie Lapeyrouse Tillman J Lapeyrouse James L LaRive, Jr Daniel LaRoche Lasseigne & Sons, Inc Betty & Jefferson Lasseigne Blake Lasseigne Floyd Lasseigne Frank Lasseigne Ivy Lasseigne, Jr Jefferson P Lasseigne, Jr Johnny J Lasseigne Marlene Lasseigne Nolan J Lasseigne Trent Lasseigne Chhiet Lat Charlotte A Latapie Jerry Latapie Joseph Latapie Joseph F Latapie, Sr Travis Latapie Crystal Latapie Craig J Latiolais Joel Latiolais Ho Thanh Lau James G Laughlin James M Laughlin Yvonne M Laurent Roger Lavergne Terrance Lawdros, Jr Michael A Layrisson, III Amanda Le An Van Le Ben Le Ben & Kim Le |

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| | | | Binh T Le Cheo V Le Chinh Thanh Le Cu Thi Le Dai M Le Dale Le David Rung Le Du M Le Due V Le Hien V Le Houston T Le Hung Le Jimmy & Hoang Le Khoa Le Ky Van Le Lang Van & Tracy Lan Chi Le Lisa T Le Loi Le My Le My V Le Nhieu T Le Nhut Hoang Le Nu Thi Le Phat Le & Le Tran Phuc Van Le Que V Le Robert Le Sau V Le Son Le (2) Son H Le Son Quoc Le Son Van Le Son Von Le Su Le Tam Le Tam V Le Thanh Huong Le Tong Minh Le Tony Le Tuan Nhu Le Viet Hoang Le Vui Le Andrew S Leaf Roland Leary LeBauve, Inc Thomas LeBeauf Donnie LeBlanc |

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| | | | Edwin J LeBlanc Enoch P LeBlanc Gareth R LeBlanc, Jr Gareth LeBlanc, III Gerald E LeBlanc Hubert C LeBlanc Jerald LeBlanc Jesse LeBlanc, Jr Keenon A LeBlanc Keenon H LeBlanc Lanvin J LeBlanc Luke A LeBlanc Marty J LeBlanc, Jr & Marty J LeBlanc Mickel J LeBlanc Robert LeBlanc Robert Patrick LeBlanc Scotty M LeBlanc Shelton LeBlanc Terry J LeBlanc Brent J LeBoeuf Edward J LeBoeuf Emery J LeBoeuf Joseph R LeBoeuf Dale LeBouef Ellis J LeBouef, Jr Jimmie LeBouef Leslie LeBouef Lindy J LeBouef Micheal J LeBouef Raymond LeBouef Tammy Y LeBouef Tommy J LeBouef Wiley LeBouef, Sr Stephen A LeBourgeois Alena & Jesse LeCompte, Jr Aubrey J LeCompte Etha LeCompte Jesse LeCompte, Sr Lyle LeCompte Patricia F LeCompte Todd LeCompte Troy A LeCompte, Sr Brad Ledet Bryan Ledet Carlton Ledet Charles J Ledet Jack A Ledet |

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| | | | Kenneth A Ledet Mark Ledet Maxine B Ledet Mervin Ledet Phillip John Ledet Dennis Ledoux Joe J Ledwig Carl Lee James K Lee Marilyn & Robert E Lee Otis M Lee, Jr Raymond C Lee Steven J Lee Roy J LeGaux, Jr Kerry Legendre Paul Legendre Andre Leger Alex M LeGros Debbie LeJeune Philip LeJeune, Jr & Philip LeJeune, Sr Eddie R LeJuine Allston B LeLand Rutledge B Leland, III Rutledge B Leland, Jr David LeLeaux Kevin Leleux Jeffery Lemoine, Jr Micheal A Leonard Rosalie Lepeyroose Leroy L Lepine Rudy Lesso, Jr Shawn Lester Dale T Levron Patrick T Levy James Kenneth Lewis, Sr dba FV Mary Ann Mark Steven Lewis Anthony R Libersat Kim Libersat Liberty I & St Vincent One B, Inc Donald L Lichenstien Douglas P Lilley Chhay Lim Koung Lim Tav Seng Lim Eric L Linden Claude T Liner, Jr Harold Liner |

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| | | | Jerry Liner Kevin Liner Michael B Liner, Sr Morris T Liner, Jr Morris T & Tandy M Liner, Sr Pham Linh Alex J Lirette, Sr Bobby & Sherri Lirette Chester P Lirette Daniel J Lirette Dean J Lirette Delvin J Lirette, Jr Desaine J Lirette Eugis P Lirette, Sr Guy Lirette Jeannie Lirette Kern A Lirette Ron Lirette Russell (Chico) Lirette, Jr Shaun Patrick Lirette Terry J Lirette, Sr Little Ernie Gulf Trawler, Inc William A Little William Boyd Little Niem S Liv Ernest J Livaudais Harry R Liverman Michael Anthony LoBue, Sr Dustin Locascio William T Lockhart Kerry Lodrigue Jimmy A Lodrique Joseph P Lombardo James A Lombas Kim D Lombas Robert Long Ronald S Longo, Jr Ryan Heath Longwater Celestino Lopez Harry N Lopez Ron Lopez Scott Lopez Stephen R Lopez, Jr Michael E Lord, Sr Louisiana Newpack Shrimp Co, Inc Louisiana Shrimp and Packing Co, Inc Louisiana Shrimp Association |

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| | | | George Loupe, Jr Ted Loupe Billy Lovell Bobby Jason Lovell Bradford Lovell Charles J Lovell, Jr Clayton Lovell Douglas P Lovell Jacob G Lovell Lois Lovell Slade M Lovell Low Country Lady (Randolph N Rhodes) Bernadette C & Rudolph J Luke David Luke Dustan Luke Henry Luke Jeremy Luke Keith J Luke Patrick A Luke Patrick J Luke Paul Leroy Luke Samantha Luke Sidney Luke, Jr Terry P Luke, Jr Terry P Luke, Sr Timothy Luke Wiltz J Luke Ora G Lund Ferrell J Luneau Thu X Luong Lydia Luscy Richard Luscy William A Lutz Binh Luu Vinh Luv Hen Ly Kelly D Ly Nu Ly Ven Ly Rosalie Lyall Lynda Riley, Inc Berton J Lyons Jack Lyons Jerome M Lyons M.V. Lerin Lane Marvin Mackey Kevin L Mackie |

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| | | | Wayne A Maggio Edwin W Magwood Danny V & Lang V Mai Tai Mai Rubin J Maise Todd Maise Ernest J Majoue Nathan L Majoue David Malcombe Irwin Ray Mallett Jimmie Mallett Lawrence J Mallett Mervin B Mallett Rainbow Mallett Stephney Mallett Ned F Malley, Jr Malolo LLC Mamacita, Inc Charles H Mamolo, Sr Romeo C Mamolo, Jr Terry A Mamolo Jesus Mancera Joseph R MaNoel Shon Manuel Chandarasy Mao Kim Mao Michelle Marcel Joe Marchese, Jr Marcos A Ansley Mareno Brent J Mareno Kenneth Mareno Mariah Lynn, Inc Allen J Marie Marty Marie Al Marmande Alidore Marmande Denise Marmande Heather Marquize Kip Marquizz Roy C Marris, Jr Darren & Wendy Martin Dean Martin Dennis Martin Jody W Martin John F Martin, III Michael A Martin |

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| | | | Nora S Martin Rod J Martin Roland J Martin, Jr Russel J Martin, Sr Sharon Martin Tanna G Martin Carl R Martinez Henry Martinez Henry Joseph Martinez Lupe Martinez Michael Martinez Rene J Martinez Mary Bea, Inc James Mason, Jr Johnnie W Mason Luther Mason Percy D Mason, Jr Master Mike, Inc Larry Mathene, Jr Forest J Matherne Anthony Matherne Blakland Matherne, Sr Bradley J Matherne Claude I Matherne, Jr Clifford P Matherne Curlis J Matherne George J Matherne Glenn A Matherne Grace L Matherne James C Matherne James J Matherne, Jr James J Matherne, Sr Joey A Matherne Keith Matherne Louis M Matherne, Sr Louis Michael Matherne Nelson Matherne Thomas G Matherne Thomas G Matherne, Jr Thomas M Matherne Thomas M Matherne, Sr Thomas Matherne, Jr Wesley J Matherne Patrick Mathews (2) Barry Mathurne Martin J Matte, Sr Mark D Mavar |

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| | | | <p>Lonies A Mayeux, Jr Roselyn P Mayeux Gary Mayfield Henry A Mayfield Henry A Mayfield, Sr James J Mayfield, III Allen J Mayon Wayne Mayon, Sr Henry J McAnespy Louis McAnespy Marcus H McCall R Terry McCall, Sr Michael McCarthy Byron Keith & Katrina McCauley Robert R & Debra McClantoc Eugene Gardner McClellan Len McCormick Denny Carlton McCuiston Allan McDonald Harry J McElroy Merlin J McFarlain, Jr Dennis McGuinn James Richard McIntosh Michael D McIntyre John H McIver, Jr Roy McKendree Bobby E McKenzie Robert McKoin Robert F McKoin, Jr Jonathon S McLendon Robert McNab, Jr Don W McQuaig Oliver J McQuaig David P Medine Timmy J Melanco Brent K Melancon Neva Melancon Rickey Melancon Roland D Melancon & Roland T Melancon, Jr Sean P Melancon Terral J Melancon Ozimea J Melanson, III Raymond Joseph Melarine Angela Melerine Brandon T Melerine Claude A Melerine Claude A Melerine, Jr</p> |

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| | | | Dean J Melerine Eric W Melerine, Jr John D Melerine, Sr Linda C Melerine Daniel W Melford, Sr Nelvin Mello Randall J Pinnell Member Sophin Men Wade E Menendez Dennis Menesses James H Menesses Louis Menesses Lionel A Menge Vincent J Menge Mer Shrimp, Inc Dempsey Mercy Harold A Merrick Kevin Merrick, Sr Darren Merritt, Sr Chase Messer Otis J Meyers Soeum Miarm Michael Lynn Steven D Michel Dan Middleton, Sr Henry Miguez Kevin L Miguez, Sr Ricky David Miles Joseph Militello David W & Rhonda E Miller Fletcher N Miller James A Miller Larry B Miller Mabry Allen Miller Mabry Allen Miller, Jr Michael E Miller Michele K Miller Randy A Miller Wayne Miller Leon B Millet Milliken & Son's Donnie Millington Ronnie Millington Moses Millis Raeford Millis Ralford Millis Timmie Lee Millis |

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| | | | Derrick Mine Peter G Miner Phuc-Truong Minh Miss Alice, Inc Miss Ashleigh Miss Barbara Miss Bertha (M/V) & Kevin & Bryan (M/V) Miss Candace Miss Candace Nicole, Inc Miss Carla Jean, Inc Miss Caroline, Inc Miss Carolyn Louise, Inc Miss Cleda Jo, Inc Miss Danielle Gulf Trawler, Inc Miss Gabrielle, Inc Miss Georgia, Inc Miss Hannah Miss Loraine Miss Luana D Shrimp Co Miss Marilyn Louise, Inc Miss Nicola Miss Rhianna, Inc Miss Sandra II Miss Savannah II Miss Suzanne Miss WillaDean Miss Yvette, Inc Ricky Allen Mitchell Todd Mitchell Francis C Mitchum G C Mixon Bryan A Mobley Jimmy Mobley, Sr Robertson Mobley Frank Mock, Sr Frankie E Mock, Jr Jesse R Mock, II Terry Mock Louis Frank Molero Louis Molero, III Al L Molinere Floyd Molinere Roland & Stacy Molinere, Jr Angela Moll Jerry J Moll, Jr Jonathan P Moll Julius J Moll |

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| | | | Randall Moll, Jr Randall Mollere Mom & Dad, Inc Philip J Mones, Jr Tino Mones Guy D Moody Carl Stephen Moore Curtis L Moore Kenneth Moore Richard Moore Willis Moore Nguyen Moot Anthony Morales Clinton A Morales Daniel Morales, Jr Daniel Morales, Sr David Morales Elwood J Morales, Jr Eugene J Morales, Jr Eugene J Morales, Sr Kimberly & Raul Morales Leonard L Morales Phil J Morales, Jr Scott Moran Allen J Moreau Berlin J & Mary Moreau, Sr Daniel R Moreau Hubert Moreau Rickey J Moreau, Sr Arthur B Morehead, Jr Ansley Moreno Harold R Morgan John Morici Herbert Eugene Morris Jesse A Morris Jesse A Morris, Sr Preston Morris Robert A Morton Keith M Morvant Patsy Lishman Morvant Chalam Moschetteiri Kevin R Moseley William L Mouille Ashton J Mouton Timothy Moverant Mr. Verdin, Inc Mark Mund |

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| | | | Denis R Murphy Gary J Muth, Sr Joseph E Myers, Jr Tran Van Na Andrew Naccio Lance M Nacio Noel Nacio Philocles J Nacio, Sr Nancy Joy Alton J Naquin Andrew J Naquin, Sr Antoine Naquin, Jr Autry James Naquin Bobby J & Sheila Naquin Christine & Milton H Naquin, IV Dean J Naquin Donna P Naquin Earl Naquin Earl L Naquin Freddie Naquin Gerald Naquin Henry Naquin Jerry Joseph Naquin, Jr Kenneth J Naquin, Jr Kenneth J Naquin, Sr Kenneth Naquin, Jr Linda L Naquin Lionel A Naquin, Jr Mark D Naquin, Jr Marty J Naquin, Sr Oliver A Naquin Robert Naquin Roy A Naquin Vernon Naquin Curtis J Navarre Emma & Floyd G Navero, Jr Craig A Neal Roy J Neal, Jr Bobby H Neely Raymond E Nehlig, Sr Dean Neil Jacob Neil Robert J Neil, Jr Deborah Nelson Elisha W Nelson Ernest R Nelson Faye Nelson |

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| | | | Fred H Nelson, Sr Gordon Kent Nelson, Sr Gordon W Nelson, III Gordon W Nelson, Jr William O Nelson, Jr Aaron J Nelton, Jr Steven J Nelton Nevgulmarco Co, Inc Ronald B Newell Thomas E Newsome Paul J Newton Dong Xuan Neyuh Hung V Ngo Liem Thanh Ngo The Ngo Truong Dinh Ngo Vu Hoang Ngo Thoi Ngu Amy Nguyen An Hoang Nguyen Andy Dung Nguyen Anh Nguyen Auyan Nguyen Ba Nguyen Bac Van Nguyen Bao Q Nguyen Bich Thao Nguyen (2) Bien Nguyen Binh Nguyen (3) Binh Cong Nguyen Binh V Nguyen Can Van Nguyen Cath V Nguyen Charlie Nguyen Chien Nguyen Chien Van Nguyen Chin Nguyen Chinh Van Nguyen Christian Nguyen Chung Nguyen Chung Van Nguyen Chuong Hoang Nguyen Chuong V Nguyen Chuyen Nguyen Coolly Dinh Nguyen Cuong Nguyen Dai Nguyen |

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| | | | Dan Nguyen Dan Van Nguyen (2) Dang Nguyen Danny Nguyen De Van Nguyen Den Nguyen Diem Nguyen Dien Nguyen Diep Nguyen Dinh Nguyen (2) Dong T Nguyen Dong X Nguyen Duc Nguyen Duc Van Nguyen Dung Nguyen Dung Ngoc Nguyen Duong V Nguyen Duong Xuan Nguyen Dvoc Nguyen Elizabeth Nguyen Gary Nguyen Giang T Nguyen Giau Van Nguyen Ha T Nguyen Ha Van Nguyen Hai Nguyen Hai Van Nguyen Han V Nguyen Hang Nguyen Hanh T Nguyen Harry H Nguyen Henri Hiep Nguyen Henry-Trang Nguyen Hien Nguyen Hiep Nguyen Ho V Nguyen Hoa Nguyen Hoa N Nguyen Hoang Nguyen (2) Hoi Nguyen Hung Nguyen (2) Hung M Nguyen Hung Van Nguyen Huu Nghia Nguyen Jackie Tin Nguyen James Nguyen Jennifer Nguyen |

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| | | | Jimmy Nguyen (2) Joachim Nguyen Joe Nguyen John R Nguyen John V Nguyen Johnny Nguyen Joseph Minh Nguyen Kenny Hung Mong Nguyen Khanh Nguyen Khanh & Viet Dinh Nguyen Khanh Q Nguyen Khiem Nguyen Kim Nguyen (2) Kinh V Nguyen Lai Nguyen (2) Lai Tan Nguyen Lam Van Nguyen Lang Nguyen (2) Lanh Nguyen Lap Van Nguyen Le Nguyen Lien Thi Nguyen Linda Oan Nguyen Linh Thi Nguyen Lintt Danny Nguyen Lluu Nguyen Loc Nguyen Loi Nguyen (2) Long Phi Nguyen Long T Nguyen Long Viet Nguyen Luom T Nguyen Mai Van Nguyen Man Van Nguyen Mao-Van Nguyen Mary Nguyen Minh Nguyen (3) Minh Ngoc Nguyen Minh Van Nguyen (2) Mui Van Nguyen Mung T Nguyen My Le Thi Nguyen My Tan Nguyen My V Nguyen Nancy Nguyen Nghi Q Nguyen Nghia Nguyen |

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| | | | Ngiti Nguyen Ngoc Tim Nguyen Ngoc Van Nguyen Nguyet Nguyen Nhi Nguyen Nuona Nguyen Nuong Nguyen Peter Nguyen Peter V Nguyen Phe Nguyen Phong Ngoc Nguyen Phong T Nguyen Phong Xung Nguyen Phu Huu Nguyen Phuc Nguyen Phuoc H Nguyen Phuoc Van Nguyen Phuong Nguyen (2) Quang Nguyen Quang Dang Nguyen Quang Dinh Nguyen Quang Van Nguyen Quoc Van Nguyen Quyen Minh Nguyen Quyen Van Nguyen Quyent Nguyen Ran T Nguyen Randon Nguyen Richard Nguyen Rick Nguyen Ricky Thinh Nguyen Sam Nguyen Sandy Ha Nguyen Sang Nguyen Sau V Nguyen Si Ngoc Nguyen Son Thanh Nguyen Son Van Nguyen Steven Giap Nguyen Tai Nguyen Tai The Nguyen Tai Thi Nguyen Tam Nguyen Tam Thanh Nguyen Tam V Nguyen Tam Van Nguyen Tdan Van Nguyen |

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| | | | Ten Tan Nguyen Thach Nguyen Thang Nguyen (2) Thanh Nguyen (5) Thanh P Nguyen Thao Nguyen Thi Bich Hang Nguyen Thiet Nguyen Tho Duke Nguyen Thoa Nguyen Thoa D Nguyen Thoa Thi Nguyen Thomas Nguyen Thu Duc Nguyen Thuong Van Nguyen Thuy Nguyen Thuyen Nguyen (2) Tinh Nguyen Tinh V Nguyen Toan Nguyen Toan Van Nguyen Tommy Nguyen Tony Nguyen Tony D Nguyen Tony Si Nguyen Tra Nguyen Tracy T Nguyen Tri D Nguyen Trich Nguyen Trich Van Nguyen Tu Van Nguyen Tuan Nguyen Tuan A Nguyen Tuan H Nguyen Tung Nguyen Tuyen Duc Nguyen Van H Nguyen Van Loi Nguyen Viet Nguyen (2) Viet Van Nguyen Vinh V & Vuong V Nguyen VT Nguyen Vu Minh Nguyen Vu T Nguyen Vu Xuan Nguyen Vui Nguyen Xuong Kim Nguyen |

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| | | | Seri Nhon Steve Anna Nichols Gary Nicholson Leonard Nixon Earl Noble Timothy Normand Candace P Norris John A Norris Kenneth L Norris Kevin Norris North Point Trawlers, Inc James E Nowell Phen Noy Conrad Nunez Jody Nunez Joseph Paul Nunez Randy Nunez Wade Joseph Nunez Dong Xuan Nynh Darryl Oberling Adam O'Blance Gary S O'Brien Mark O'Brien Michele O'Brien Ocean Select Seafood, LLC Ocean Springs Seafood Market, Inc Henry & Phyllis Oglesby Michael P O'Gwynn, Sr George J & Eva G Ohmer Hazel Olander Rodney Olander Roland J Olander Russell J Olander Thomas Olander Kevin Olano Owen J Olano Shelby F Olano Malcolm D Olds, Jr Wilfred J Olinde, Jr Carey O'Neil Brad R Oracoy Eugene Orage Het Orlando Robert F Oteri Faron P Oubre SokHoms K Ourks Larry E Owens |

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| | | | <p> Timothy Owens Thomas Pacaccio, Jr Kenneth J Padgett Roben Palimisano Gay Ann P Palmer John W Palmer Mack Palmer Daniel P Palmisano Dwayne Palmisano, Jr Kim Palmisano Larry J Palmisano Leroy J Palmisano Robin G Palmisano Phuong Bui Pam Papa Rod, Inc Antoine C Parfait, Jr Jerry & Mary S Parfait, Sr John C Parfait Joshua K Parfait Olden G Parfait, Jr Robert C Parfait, Jr & Robert C Parfait, Sr Rodney Parfait Shelton J Parfait Timmy J Parfait Clyde A Parker Franklin L Parker Paul A Parker Percy Todd Parker Daniel Duane Parks Ellery Doyle Parks, Jr Joseph D Parrett, Jr Danny Parria Gavin C Parria, Sr Gillis Parria, Jr Gillis Parria, Sr Jerry D Parria Kip G Parria & Louis J Parria, Sr Lionel J Parria, Sr Louis Parria, III Louis Parria, Jr Michael Parria Ronald Parria Ross Parria Troy M Parris Walter L Parrish Penny Passmore Shane Pate </p> |

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| | | | Richard Paterbaugh Roger D Patingo Paul Piazza and Son, Inc Robert Emmett Paul John Payne Stuart Payne Pearl, Inc dba Indian Ridge Shrimp Co James Curtis Pelas Corey P Pellegrin Curlynn Pellegrin James A Pellegrin, Jr Jordey Pellegrin Karl Pellegrin Karl J Pellegrin Randy Pellegrin, Sr Rodney J Pellegrin, Sr Samuel Pellegrin Troy Pellegrin Troy Pellegrin, Sr Randy Pelligrin Clyde Peltier Rodney J Peltier Bartolo Pena, Jr Israel Pena Gracie Pendarvis Elaine & Milton Pennison David P Percle Allen M Perez David J Perez David P Perez Derek Perez Edward Perez, Jr Henry Perez, Jr Joe B Perez Tilden A Perez, Jr Warren A Perez, Jr Warren A Perez, Sr Wesley Perez Dale Perrin David M Perrin Edward G Perrin, Sr Errol J Perrin, Jr Jerry J Perrin Kenneth V Perrin Kevin Perrin Kline J Perrin, Sr Kurt M Perrin |

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| | | | Michael Perrin Michael A Perrin Murphy P Perrin Nelson C Perrin, Jr Pershing J Perrin, Jr Robert Perrin Tim J Perrin Tony Perrin Nelian C Perrio, Jr William T Persohn Kirk Lynn Peshoff Alfred F Pete, Jr Alfred F Pete, Sr William A Pfleeger An V Pham Anh My Pham Bob Pham Cho Pham Cindy Pham David Pham Dung Pham Dung Nick Pham Duong Van Pham Gai Pham Hai Hong Pham Hiep Pham Hung Pham Hung V Pham (2) Kannin Pham Nam V Phan Pham Nhung T Pham Osmond Pham Paul P Pham Phong-Thanh Pham Phung Pham Quoc V Pham Steve Ban Pham Thanh Pham Thinh Pham Thinh V Pham Tommy V Pham Ut Van Pham Anh Thi Phan Banh V Phan Con Van Phan Dan T Phan Hanh Van Phan |

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| | | | Hoang Phan Johnny Phan Thong Phan Tien V Phan Toan Phan Lam Mau Phat John D Phelps Bruce Phillips Danny D Phillips Gary Phillips Harry L Phillips James C Phillips, Jr Kistrina W Phillips A W Phipps Khaolop Phonthaasa Phen Phorn Tran D Phuc Kathy Pickett Calvin Picou, Jr Gary M Picou Jennifer Picou Jerome J Picou Jordan J Picou Randy Picou Ricky Picou, Sr Terry Picou Aaron Pierce Dean Pierce Elwood Pierce Imogene Pierce Stanley Pierce Taffie Boone Pierce Ivy Pierre Joseph Pierre Joseph C Pierre, Jr Paul J Pierre Ronald J Pierre Jake Pierron Patsy H & Roger D Pierron Ernie A Pinell Harry J Pinell, Jr Jody Pinell Randall James Pinell Richard J Pinnell Robert Pinnell Benton J Pitre Carol Pitre |

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| | | | Claude A Pitre, Sr Elrod Pitre Emily B Pitre Glenn P Pitre Herbert Pitre Jeannie Pitre Leo P Pitre Robert Pitre, Jr Robin Pitre Ryan P Pitre Ted J Pitre Bonnie Pizani Craig Pizani Jane Pizani Terrill Pizani Terry M Pizani Terry M Pizani, Jr Arthur E Plaisance Burgess Plaisance Darren Plaisance Dean J Plaisance, Sr Dorothy B Plaisance Dwayne Plaisance Earl J Plaisance, Jr Errance H Plaisance Evans P Plaisance Eves A Plaisance, III Gideons Plaisance Gillis S Plaisance Henry A Plaisance, Jr Jacob Plaisance Jimmie J Plaisance Joyce Plaisance Keith Plaisance Ken G Plaisance Lawrence J Plaisance Lucien Plaisance, Jr Peter Plaisance, Jr & Peter A Plaisance, Sr Richard J Plaisance Russel P Plaisance Thomas Plaisance Thomas J Plaisance Wayne P Plaisance Whitney Plaisance, III Phan Plork Glenn J Poche, Jr Glenn Poche, Sr |

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| | | | Gerald Pockrus Russell Poiencot, Jr Charles A Poillion Gerald Polito Gary Polkey Richard R Polkey, Jr Ronald Polkey Shawn Michael Polkey Lionel J Pollet, Sr Ben Ponce Lewis B Ponce Raymond Poon Robert Pope Winford A Popham David M Poppell Ricky J Porche Port Royal Seafood, Inc Bobby & Penelope J Portier Chad Portier Corinne L Portier Robbie Portier Russel A Portier, Sr Hubert Edward Potter, Jr Robert D Potter Terry Wayne Pounds Clyde T Powers Dennis J Prejean Carl Price Curtis Price Edwin J Price Franklin J Price George J Price, Sr Norris J Price, Sr Steve J Price, Jr Timmy T Price Wade J Price Warren J Price Steve Prihoda Scott Primeaux Dixie J & James R Pritchard Claude J Prosperie, Jr Myron Prosperie Rollen Prout Sharonski K Prout Thou Prum Charles D Pugh, Jr Charles D Pugh, Sr |

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| | | | Cody Pugh Deanna Pugh Donald Pugh Nickolas Pugh Alvin Punch, Jr Donald J Punch Todd M Punch Travis J Punch Emil Purse George Puvis Joe Quach Dora M Quinn R & J, Inc Charles Racca Chip Racine Albert G Ragas Gene Ragas John D Ragas Jonathan Ragas Richard A Ragas Ronda S Ragas Lester B Ralph Alfred J Ramirez, Jr Sylvan P Racine, Jr (Cape Romain) Randall Pinell Inc John A Randazza, Jr Rick A Randazzo Stanley D Rando Randy Boy, Inc Ellis Gerald Ranko Dwayne Rapp Leroy & Sedonia Rapp John H Rawlings, Sr Ralph E Rawlings Leo Ray William C Ray, Jr Steven Earl Raynor Kelty O Reademour Roy Reagan Patrick W Reason Paul S Reaux, Sr Craig A Reaves Laten Reaves Paul J Rebery, Sr Steve M Rebert, Jr Charles Rebstock Lance Recter, Jr |

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| | | | Warren L Recter Yvonne Redden Leoncea B Regnier Garland Remondet, Jr Lanny Renard Edward Reno George C Reno George H Reno George T Reno Harry Reno Ben D Revell Reyes Trawlers, Inc Dwight D Reyes, Sr Marcello Reynon, Jr Randolph N Rhodes Christopher L Rhoto Frank A Ribardi Wanda Heafner Rich Irvin J Richaox, Jr Bruce J Richard David L Richard Edgar J Richard James Ray Richard Melissa Richard Randall K Richard James T Richardson Daniel E Richert Earl Richo, Sr Dudley D Richoux, Jr Larry & Judy Richoux Mary A Richoux Raymond A Riego Josiah B Riffle Randall R Rigaud Jeffrey B Riggs Jackie Riley, Sr Raymond Riley Anthony J Rinkus, III Amado Rios Norris M Ripp Dan S Robert Michael A Roberts Kevin Robertson Richard S Robeson, Jr Craig J Robichaux Alvin G Robin Cary Joseph Robin |

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| | | | Charles R Robin, III Danny J Robin Donald Robin Floyd A Robin Kenneth J Robin, Sr Ricky R Robin Johnson P Robinson, III Walter Robinson Clay Roccaforte Dominick R & Rhonda Rodi Brent J Rodrigue Carrol Rodrigue, Sr Glenn & Sonya Rodrigue Lerlene Rodrigue Reggie Rodrigue, Sr Wayne Rodrigue Barry Rodriguez Gregory Rodriguez Jesus Rodriguez Orn Roem Barry David Rogers Chad Rogers Chad M Rogers Kevin Rogers Nathan J Rogers Carlton J Rojas, Sr Curtis Rojas, Sr Dennis J Rojas, Sr Gordon V Rojas Kerry D Rojas Kerry D Rojas, Jr Randy Rojas, Sr Raymond J Rojas, Jr Brad Roland Mathias C Roland Vincent Roland Theresa Rollins Wayne A Rollo Victor J Rome, IV D H Romero Kardel J Romero Norman Romero Philip J Romero Romo, Inc Glenn Ronquille Norman C Ronquille Earl Ronquillo |

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| | | | Richard J Ronquillo Timothy Ronquillo Rosa Marie, Inc Charles R Roseburrough, Jr Dorothy Ross Edward Danny Ross, Jr Leo L Ross Robert A Ross Joseph F Roth, Jr Joseph M Roth, Jr Carolyn Rotolo Feliz Rotolol Jimmy Rouse Michael D Roussel, Jr Henry Lee Roy, Jr Chad A Rudolph Donald W Ruiz James L Ruiz Paul E Ruiz Paul R Ruiz Bentley R Russell Casey Russell Daniel Russell James Russell, III Michael J Russell Nicholas M Russell Paul Russell Kenneth Rustick Adrian K Ruttley Ernest T Ruttley, Jr J T Ruttley James C Ryan, Sr Rhebb Rybiski Luther V Ryder Sabrina Marie, Inc Stewart Sadler Everett Sagnes Amanda K Saha Salina Cruz, Inc Don M Saling Sue A & Preston J Saltalamachia Lawrence Salvato, Jr Samaira, Inc Caroll J Samanie Frank J Samanie Don Samsome San Dia |

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| | | | Malcolm H Sanabe Troy P Sanamo Augustine Sanchez Jeffery A Sanchez Juan Sanchez Robert A Sanchez William Shannon Sanders Sandra G, Inc R J Sandras R J Sandras, Jr Roy R Sandrock, III Santa Maria, Inc Lindberg W Santini, Jr James Santiny Patrick Santiny Caroll J Sapia, Jr Eddie J Sapia, Jr Willard Sapia Michael Rance Saturday Tran Sau Carlton J Sauce Joseph C Sauce, Jr Houston J Saucier Russell Sauls Malcolm H Savage Raymond Savant Allen Savoie Brent T Savoie James Savoie Merlin F Savoie, Jr Reginald M Savoie, II Gerald Sawyer Rodney Sawyer Clifford Scarabin Michael J Scarabin Kelly Schaffer Curry A Schanbhut Lester B Schelling, Jr Michael Schexnaydre Robert Schirmer, Jr Joseph J Schjatt, Sr Henry Schlindwein Paul A Schmit, Jr Paul A Schmit, Sr Victor J Schmit, Jr Ellis J Schouest, III Ellis Schouest, Jr |

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| | | | Juston Schouest Mark Schouest Noel Schouest Robert H Schrimpf, Jr Sidney Schultz Troy A Schultz Arron J Scott Audie B Scott James E Scott, III Milford P Scott Paul Scott Sea Eagle Fisheries, Inc Sea Pearl Seafood Company, Inc Seabrook Seafood, Inc Terry G Seabrook Garry Seaman Greg Seaman Ollie L Seaman, Jr Ollie L Seaman, Sr Meng Seang Robert Craig Sehon S George Sekul Morris G Sekull Charles Sellers Issac Charles Sellers Sopphen Seng Adam R Serigne Elizabeth Serigne James J Serigne, III Kimmie J Serigne Lisa M Serigne Neil Serigne O'Neil N Serigne Richard J Serigne, Sr Rickey N Serigne Ronald Raymond Serigne Ronald Roch Serigne Ross Serigne Gail Serigny Wayne A Serigny Lenny Serpas, Jr William O Sessions, III William O Sessions, Jr Michael D Sevel Carl Sevin Earline Sevin Janell A Sevin |

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| | | | Joey Sevin Nac J Sevin O'Neil J Sevin Phillip T Sevin Shane Sevin Shane Anthony Sevin Stanley J Sevin Symantha A Sevin Willis Sevin Janet A Seymour David M Shackelford Curtis E Shaffer Glynnon D Shaffer Danielle A Shay Jason Shilling L E Shilling Robert L Shugars Randy Shutt Sidney Fisheries, Inc Curtis Silver, Jr Curnis Simon John Simon Leo Simon Mark Simpson Donald L Sims Alan Singley Charlie E Singley, Sr Glenn Singley Robert Joseph Singley Jace Sirgo Walter Sisung Walter Sisung, Jr Gary M Skinner, Sr Richard Skinner Skip Toomer, Inc Malcom W Skipper Martin J Skrmetta Skyla Marie Inc Brian H Smelker Brian Smith Carl R Smith, Jr Clark W Smith Danny Smith Danny M Smith, Jr Donna Smith Elmer T Smith, Jr James E Smith |

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| | | | Margie T Smith Mark A Smith Nancy F Smith Raymond C Smith, Sr Tim Smith Walter M Smith, Jr William T Smith Ted W Smithwick Bill Smoak William W Smoak, III Erick Snell Snodgrass Phat Soeung John C Soileau, Sr Kheng Sok Nhip Sok Darren Solet Donald M Solet Joseph R Solet Raymond Solet Kim Son Sam Nang Son Samay Son Thuong Cong Son Daniel Soprano William Sork Louis Soudelier, Jr Shannon Soudelier Yem Kim Sour South Carolina Shrimpers Association Barbara Kay Spier Jeffrey B Spell Mark A Spell Joel F Spellmeyers, Sr Casey Spencer Donald A Spiers Avery M Sprinkle Emery S Sprinkle Joseph Sprinkle Kenneth J Squarsich Siphon Sreiy Dana A St. Amant Mr & Mrs Jerome K St. Ann Darren St. Pierre Scott A St. Pierre Patrick Staves Chad Stechmann |

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| | | | Karl J Stechmann Todd Stechmann Arnold D Steele, Jr Henry H Steele, III Carl L Steen James D Steen Kathy G Steen Norris J Stein, Jr Stella Mestre, Inc Adlar Stelly Carl A Stelly Chad P Stelly Delores Stelly Sandrus Stelly, Jr Sandrus Stelly, Sr Toby J Stelly Veronica G Stelly Warren Stelly Louis Stephenson Alvin Stevens Curtis D Stevens Glenda Stevens Chester Stewart, Jr Derek Stewart Fred Stewart Jason F Stewart Ronald G Stewart William C Stewart Derald Stewat Thanh Stiffler Lawrence L Stipelcovich Todd J Stipelcovich Brenda Stockfett Todd Stokes Pamela Stone-Rinkus Ken Strickland Rita G Strickland James V Stuart Rex E Stutes Billy W Sulak Hong Sreng Sun Donald D Surmik Patrick Sutton Swamp Irish, Inc Keith Swindell Dennis A Sylve James L Sylve |

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| | | | Nathan Sylve Scott Sylve Paul Sylvesr Ba Van Ta Chris Ta Yen Ta Calvin Tabb Andrew Taliancich Ivan & Srecka Taliancich Joseph M Taliancich Ho Dung Tan Hung Tan Lan T Tan Thanh Tang Robert Charles Tanner Tanya Lea, Inc Raymond Taravella Alton J Tassin Keith P Tassin Archie P Tate Terrell Tate Kevin M Tauzier Doyle L Taylor Herman R Taylor Herman R Taylor, Jr J P Taylor, Jr John C Taylor Leander J Taylor, Sr Leo Taylor, Jr Nathan L Taylor Robert L Taylor Robert M Taylor Phal Teap Heng Tek Paul Templat John L Terluin, III A Scott Terrebonne Alphonse J Terrebonne Alton S Terrebonne, Jr Alton S Terrebonne, Sr Carol Terrebonne Carroll Terrebonne Chad Terrebonne, Sr Daniel J Terrebonne Donavon Terrebonne Gary J Terrebonne Jimmy Terrebonne, Jr |

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| | | | Jimmy Terrebonne, Sr Kline A Terrebonne Lanny Terrebonne Larry F Terrebonne, Jr Scott Terrebonne Steven Terrebonne Toby J Terrebonne Chad J Terrel, Sr C Todd Terrell Brandon James Terrio Harvey J Terrio, Jr Terry Luke Corp Terry Lynn, Inc Eloise Terry Kuzma D Tesvich Texas Pack, Inc Tex-Mex Cold Storage, Inc Phuong Thach Paul Thai Thomas Thai Anthony Theriot Carroll A Theriot, Jr Clay J Theriot, Jr Craig A Theriot Dean P Theriot Donnie Theriot Jeffrey C Theriot Larry J Theriot Lynn Theriot Mark A Theriot Wanda J Theriot Bart James Thibodeaux Brian A Thibodeaux Brian M Thibodeaux Calvin A Thibodeaux, Jr Fay F Thibodeaux Glenn P Thibodeaux Jared Thibodeaux Jeffrey Thibodeaux Jonathan Thibodeaux Josephine Thibodeaux Keith Thibodeaux Tony J Thibodeaux Warren J Thibodeaux Tran Thiet Thomas G, Inc Alvin Thomas |

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| | | | Brent Thomas Dally S Thomas Janie G Thomas John Richard Thomas Kenneth Ward Thomas Monica P Thomas Ralph L Thomas, Jr Randall Thomas Robert W Thomas Willard N Thomas, Jr Gerard Thomassie Nathan A Thomassie Philip A Thomassie Ronald Thomassie Tracy J Thomassie David Thompson Edwin A Thompson George Thompson James D Thompson, Jr James Thompson, Jr John E Thompson John R Thompson Randall Thompson Shawn Thompson Thong John J Thonn, Jr Victor J Thonn Robert Lee Thorpe, Jr Three Sons, Inc Charles E Thurman Tidelands Seafood Co, Inc Thanh Tiet Tiffani Claire, Inc Tikede, Inc Gene E Tilghman Billy Carl Tillett Lewis A Tillman, Jr Timothy P & Yvonne M Tillman Pat Tillotson Mark A Tinney Georgia W Tisdale Oscar Tiser Thomas C Tiser, Jr Thomas C Tiser, Sr Du Van To Fred Noel Todd Rebecca G Todd |

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| | | | Robert C Todd Vonnice Frank Todd, Jr Gerald Tompkins, II George Toney, Jr Hai V Tong Linh C Tony Tonya Jane, Inc Christina Abbott & William Kemp Toomer Christy Toomer Frank G Toomer, Jr Jeffrey E Toomer Kenneth Toomer Lamar K Toomer Larry C & Tina Toomer David P Torrible Jason Torrible Anthony H Touchard John B Touchard, Jr Paul V Touchard, Jr Eldridge Touchet, III & Eldridge Touchet, Jr Anthony G Toups Bryan Toups George A Toups Jeff Toups Jimmie J Toups Kim Toups Manuel Toups Ted Toups Tommy Toups James Toureau Melvin H Tower Harmon Lynn & Marion Brooks Townsend Hop T Tra Nguyen Tra James D Trabeau Allen A Trahan, Jr Alvin Trahan, Jr Druby Trahan Dudley Trahan Elie J Trahan Eric J Trahan James Trahan Karen C Trahan Lynn P Trahan, Sr Ricky Trahan Ronald J Trahan Tracey L Trahan |

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| | | | Wayne Paul Trahan Allen Hai Tran Andana Trana Anh Tran (2) Anh N Tran Bay V Tran Binh Tran Ca Van Tran Cam Van Tran Chau Van Tran Chi T Tran Chu V Tran Cuorg Tran Den Tran Dien Tran Dinh Tran Dinh M Tran Duoc Tran (2) Duong Tran Eric Tran Francis Tran Giang Tran Giao Tran Hien H Tran Hiep Tran Hiep Phuoc Tran Hieu Tran Hoa Tran (2) Hue T Tran Huey Tran Hung Tran Hung (Eric) Tran Hung P Tran Hun Viet Tran John Tran Johnny Dinh Tran Joseph Tran Joseph T Tran Khan Van Tran Khanh Tran Kim Chi Thi Tran Lan Tina Tran Leo Van Tran Loan Tran Long Tran Long Van Tran Luu Van Tran |

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| | | | Ly Tran Ly Van Tran Mary Tran Mien Tran Mike Tran Minh Huu Tran My T Tran Ngoc Tran Nhieu Van Tran Nho Tran Phuc V Tran Phung Tran Quan Van Tran Quang Quang Tran Quang T Tran Qui V Tran Ran Van Tran Sarah T Tran Sau Tran Son Tran (2) Steven Tuan Tran Te V Tran Than Tran Thanh Tran Theresa Tran Thi Tran Thich Van Tran Thien Tran Thien Van Tran Tri Than Trung Tran Trung Van Tran Tuan Tran Tuan Minh Tran Tuong Van Tran Tuyet Thi Tran Van T Tran Vinh Tran Vinh Q Tran (2) Vui Kim Tran James Tranan Tommy Trapp Trawler Master Alston Trawler Raindear Partnership Trawler Wylie Milam Michael Treadaway Curtis Tregle |

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| | | | William Paul Trehoan Gary J Treuil Manuel Trevino E H Buddy Treybig, Jr Donald G Triche Hung Hoa Triea Jackie & Hiep Trieu Jasmine & Ly Trieu Lorie Trieu Tam Trieu Christopher B Trinh Philip P Trinh Triple T Enterprises, Inc Clark K Trosclair Clark P Trosclair Eugene P Trosclair James J Trosclair Jerome Trosclair Joseph & Patricia Trosclair Lori Trosclair Louis V Trosclair Patricia Trosclair Randy Trosclair Ricky Trosclair Wallace Trosclair, Sr True World Foods, Inc Andre Truong Andre U Truong Be Van Truong Dac Truong Kim & Benjamin Truong Steve Truong Tham T Truong Thanh Minh Truong Timmy Truong George W Trutt, Sr Wanda Trutt Nguyen Q Tuan Huan Tuong Mervin A Turlich Calvin L Turner Tyler James John Tyre Ultima Cruz, Inc Terry R Upton Vi V Do Eddie James Vaisin |

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| | | | J G Valentino, Jr James Valentino Christopher A & Nancy H Vallot Hugh P Valure Thien Van Do Jean T Van Gordstnoven Tung Van Huynh Lo Van Ngo Dung Van Nguyen Irving Van Nguyen Nho Van Nguyen Roe Van Nguyen Thanh Van Nguyen Trung Van Nguyen Vang Van Nguyen Thai Van Pham Tu Van Phan Ba Van Ta Hung Van Tran Miel Van Tran Nhanh Van Tran Phu Van Tran Nhut Van Truong Them Van Truong Hai Van Vo Cang To Van Long Van Nguyen Day Van Than Van Tran Phu Van Vui Van Kathy D & Malcolm Vanacor Bobbie Vanicor Matthew T VanMeter William Earl VanMeter Ba Van-Ta Randy L Varney Raymond S Vath William E Veasel, III Brien J Vegas Percy J Vegas Terry J Vegas Terry J Vegas, Jr Terry Vegas, Jr Peter Vela Aaron Verdin Av Verdin |

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| | | | Bradley J Verdin Brent A Verdin Charles A Verdin Charles E Verdin Coy P Verdin Curtis A Verdin, Jr Delphine & Jeffrey Verdin Diana & Joseph Verdin Ebro W Verdin Eric P Verdin Ernest Joseph Verdin, Sr Jeff C Verdin Jessie J Verdin John P Verdin Joseph A Verdin, Jr Joseph Cleveland Verdin Joseph S Verdin Justilien G Verdin Matthew W Verdin, Sr Michel A Verdin Paul E Verdin Perry Anthony Verdin Rodney Verdin Rodney P Verdin (2) Skylar Verdin Timmie Verdin Toby Verdin Tommy P Verdin Tony J Verdin Vincent Verdin Viness Verdin, Jr Wallace P Verdin Webb A Verdin Wesley D Verdin, Sr Jimmy R Verdine Joseph Thomas Vermeulen Darren L Verret Donald J Verret Ernest J Verret, Sr James A Verret Jean E Verret Jimmy J Verret, Sr Johnny R Verret Joseph L Verret Paul L Verret Ronald P Verret Joseph A Versagg |

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| | | | <p>Versaggi Shrimp Corp</p> <p>Brent J Vicknair, Sr</p> <p>Duane P Vicknair</p> <p>Henry Dale Vicknair</p> <p>Ricky A Vicknair</p> <p>Corey Vidrine</p> <p>Kathi & Bill Vidrine</p> <p>Richard Vidrine</p> <p>Vietnamese-American Commerical Fisherman's Union</p> <p>William F Vila</p> <p>Villers Seafood Co, Inc</p> <p>Vincent Piazza Jr & Sons Seafood, Inc</p> <p>Gage T Vincent</p> <p>Gene Vincent</p> <p>Gene B Vincent</p> <p>Robert N Vincent</p> <p>Charles E Vise, III</p> <p>Barry A Vizier</p> <p>Christopher Vizier</p> <p>Cloris J Vizier, III</p> <p>Douglas M Vizier</p> <p>Tommie Vizier, Jr</p> <p>Anh M Vo</p> <p>Chin Van Vo</p> <p>Dam Vo</p> <p>Dan M Vo</p> <p>Dany Vo</p> <p>Day V Vo</p> <p>Duong V Vo</p> <p>Dustin Vo</p> <p>Hanh Xuan Vo</p> <p>Hien Van Vo</p> <p>Hoang The Vo</p> <p>Hong Vo</p> <p>Hung Thanh Vo</p> <p>Huy K Vo</p> <p>Johnny Vo</p> <p>Kent Vo (2)</p> <p>Man Vo</p> <p>Mark Van Vo</p> <p>Minh Hung Vo</p> <p>Minh Ngoc Vo</p> <p>Minh Ray Vo</p> <p>Mong V Vo</p> <p>My Dung Thi Vo</p> <p>My Lynn Vo</p> <p>Nga Vo</p> |

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| | | | Nhon Tai Vo Quang Minh Vo Sang M Vo Sanh M Vo Song V Vo TA Vo Tan Thanh Vo Thanh Van Vo Tom Vo Tong Ba Vo Trao Van Vo Truong Vo Van Vo Van Van Vo Benjamin S Vodopija James L Vogt Eddie J Voisin Jamie Voison Harold L Von Harten Richard Vongrith Kirk Vossler Hung Vu John H Vu Khanh Vu Khanh H Vu Quan Quac Vu Sac Vu Sean Vu Tam Vu Thiem Ngoc Vu Thuy Vu Tom Vu Tu Viet Vu W H Blanchard, Inc W L & O, Inc Calvin J Wade, Jr Gerard Wade David M Waguespack, Sr Randy P Waguespack, II Vernon Wainwright Jerry Walker Rogers H Walker Dennis Wallace Edward Wallace John Wallace Trevis L Wallace Jack Waller, Jr |

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| | | | John M Waller Craig A Wallis Keith Wallis Samuel G Walters Marion M Walton Edward Joseph Wannage Fred Wannage, Jr Frederick W Wannage, Sr Clarence Ward, Jr Clifford Washington John Emile Washington, III Kevin Washington Louis N Washington Cecil K Wattigney, Jr Michael Wattigney Brandon A Watts Warren Watts Waymaker, Inc We Three, Inc Bobby Webb Bobby N Webb Donald Webre Dudley A Webre Harold Webster Webster's Inc Don Franklin Weeks Weems Bros Seafood Co Laddie E Weems Barry C Weinstein Rodney Weiskopf Todd Weiskopf Amos J Welch Douglas E Wells Stephen Ray Wells Steven W Wendling Charles W Wescovich Wesley Daryl Wescovich West Point Trawlers, Inc William J Whatley David L Whit Allen White, Sr Charles White Gary Farrell White James Hugh White Perry J White Raymond White Robert White, Sr |

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| | | | John Wicher Chad M Wiggins, Sr Ernest Wiggins Harry L Wiggins Matthew Wiggins Gerald Anthony Wilbur Robert Wilcox Alfred Adam Wiles Glen Gilbert Wiles Sonny Joel Wiles, Sr Gene D & Judith Wilkerson William Riley Wilkinson William E Smith Jr, Inc Allen Williams, Jr Andrew Williams B Dean Williams Clyde L Williams Dale A Williams Emmett J Williams Herman J Williams, Jr J T Williams John A Williams Johnny Paul Williams Joseph H Williams Kirk Williams Leopold A Williams Mark A Williams Mary Ann C & Ronnie Williams Melissa A Williams Nina Williams Parish Williams Roberto Williams Scott A Williams Steven Williams Thomas D Williams Richard L Williamson, Sr Derek C Willyard Donald R Willyard Alward Wilson Hosea Wilson Joe R Wilson Jonathan Wilson Katherine Wilson Allen Wiltz Melvin Wing Allen Wiseman Clarence J Wiseman, Jr |

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| | | | Jean Wiseman Joseph A Wiseman Michael T Wiseman, Jr Michael T Wiseman, Sr (2) Charles Wolfe Woods Fisheries, Inc Curtis Wright Leonard Wright Randy D Wright Douglas Yeamans Neil Yeamans Ronnie Yeamans Peon Yoeuth Harold Yopp Milton Thomas Yopp James Young Taing Young Willie Young Patricia D Yow Richard C Yow Anthony V Zanca, Sr Ashley A Zar Carl J Zar John Zar, III Steve Zar Steven Zar Troy A Zar John S Zerinque, Jr Zirlott Trawlers, Inc Curtis Zirlott, Jr Jason D Zirlott Jeremy Zirlott Kimberly & Jeremy Zirlott Milton Zirlott Perry Zirlott Rosa H Zirlott Brian C Zito Nguyen Q Zuan Michael A Zuvich, Jr |
| A-552-802 | 731-TA-1068 | Certain Frozen or Canned Warmwater Shrimp and Prawns/Vietnam | A. J. Horizon, Inc Al J Abadie Anthony Abadie Charles Abner Steven Abraham Ace of Trade, LLC Dale J Ackerman Darryl L Acosta |

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| | | | Jerry J Acosta, Sr Leonard C Acosta Wilson Acosta, Sr Ad Hoc Shrimp Trade Action Committee Denise T Adam Michael A Adam Richard B Adam, Jr Sherry P Adam William E Adam Alcide J Adams, Jr Dudley Adams Elizabeth Adams Ervin Adams George E Adams Hursy J Adams James Arthur Adams Kelly Adams Lawrence J Adams, Jr Randy Adams Ritchie Adams Steven A Adams Ted J Adams Tim Adams Whitney P Adams, Jr Ralph Agoff Ricardo Aguilar Roddy G Aguilard Don Ray Alario Nat Alario Pete J Alario Timmy Alario Craig J Albert Junior J Albert Aldebran, Inc Everett O Alexander Benny J Alexie Corkey A Alexie Dolphy Alexie Felix Alexie, Jr Gwendolyn Alexie John J Alexie John V Alexie Larry J Alexie, Sr Larry Alexie, Jr Vincent L Alexie, Jr Barry S Alexis Craig W Alexis |

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| | | | Michael & Monique Alexis Anthony E Alfonso, Jr Jesse Alfonso Nicholas Alfonso Paul A Alfonso Randy Alfonso Terry S Alfonso, Jr Vernon Alfonso, Jr Yvette Alfonso Angelo A Alimia, Jr Dean J Allemand Annie Allen Carolyn Sue Allen Jackie & Robin Allen Wayne Allen Wilbur L Allen Willie J Allen, III Willie Allen, Sr John Alphonso Alysia Renee, Inc Leo J Ancalade Claudene Ancar Jerry T Ancar Joe C Ancar Menlin Ancar, Sr William Ancar, Sr Gerald Ray Ancelet Andrew D Anderson Ernest W Anderson Jerry Anderson John Anderson Lynwood Anderson Melinda Rene Anderson Michael Brian Anderson Ronald L Anderson, Jr Ronald L Anderson, Sr Ronnie Anderson, Jr Miguel Andonie Anthony R Andrews Janice M Andry Rodney S Andry Angel Seafood, Inc Angela Marie, Inc Louis Angelle Eugene Anglada, Sr Anna Grace LLC Annie Thornton, Inc |

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| | | | Lester Ansardi Darren Anselmi Apalachee Girl, Inc Aparicio Trawlers Inc dba Marcosa Georgia P Arabie Joseph Arabie Craig J Arcement Donald Arcement, Sr Lester C Arcement Mathew J Arceneaux Michael K Arceneaux Christopher J Areas John Armbruster, III Paula D Armbruster Jude Armstrong, Jr George Arnesen Lonnie L Arnold, Jr Joseph T Armona Robert Armondin Floyd Assavedo Gregory Kenneth Atwood Kenny Atwood Dewey F Aucoin Earl Aucoin Laine A Aucoin Perry J Aucoin Dennis Austin Dennis J Austin Brice Authement Craig L Authement Dion J Authement Dion S Authement Gordon Authement Lance M Authement Larry Authement Larry Authement, Sr Roger J Authement Sterling P Authement Bobby Autin Bruce J Autin Kenneth D Autin Marvin J Autin Paul F Autin, Jr Roy Autin Albert J Avenel, Jr Conny Babb Brad Babin |

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| | | | Joey L Babin Klint Babin Kirby Babineaux Vicki Babineaux Ke Van Bach Reo Long Bach Benny Backman Todd Badeaux Dewayne Baham Albert Bailey Antoine Bailey, III David B Bailey, Sr Don Bailey Clarence Baker Donald Earl Baker James Baker Kenneth Baker Antonio Balderas Richard Prentiss Baldwin Albert Ballard Barbara A Ballas Charles J Ballas John F Baltz Bama Sea Products, Inc John Ban Bruce K Bang Barbara Brooks, Inc Joe W Barbaree Mark A Barbe Louie W Barber, Sr Percy T Barbier Raymond A Barbour James E Bargainear George A Barisich Barisich, Inc Joseph J Barisich Nathan Barnhill Clarence Barrios (2) Corbert J Barrios Corbert M Barrios David Barrios John Barrios Shane James Barrios Angela Gail Barrois Dana A Barrois Tracy James Barrois Wendell Jude Barrois, Jr |

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| | | | Keith Barthe, Sr Allen M Barthelemy John A Barthelemy Rene T Barthelemy, Sr Walter A Barthelemy, Jr Mitchell Bartholomew Neil W Bartholomew Thomas E Bartholomew Wanda C Bartholomew Donald J Basse, Sr Mark Bates Ted Bates, Jr Vernan Bates, Jr Louis Battle Drake J Baudoin Murphy A Baudoin Stephen Baudouin Gary Bauer Glen P Baye Bayou Shrimp Processors, Inc Charles A Bean Glenn J Becnel Kent Becnel Carol F Beecher Ronald Beechler James E Bell Ronald A Bell Arnold Bellanger Clifton Bellanger Scott J Bellanger Derrell M Belsome Karl M Belsome Gary Lynn Bennett James W Bennett, Jr Louis Bennett Francis Benoit Nicholas L Benoit Paula T & Tenna J Benoit, Jr Walter T Benton Ray W Berger Alfred S Bergeron Jeff Bergeron Nolan A Bergeron Ulysses J Bergeron Lamont L Bernard Mark J Berner Gerard J Berthelot, Sr |

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| | | | James Berthelot Myron J Berthelot Jerl C Bertrand Best Sea-Pack of Texas, Inc Beth Lomonte, Inc Keith J Beverung Raymond W Bianchini Leo E Bickham Charles Bienvenu Big Grapes, Inc Jerry W Biggs, Sr Richard Billington Alfredia Billiot Arthur Billiot Aubrey & Betty Billiot Barell J Billiot Brian K Billiot Cassidy Billiot Charles Billiot, Sr Chris J Billiot, Sr E J E Billiot Earl W Billiot, Sr Ecton L Billiot Emary Billiot Forest Billiot, Jr Gerald Billiot Harold J Billiot Jacco A Billiot Jake A Billiot James Billiot, Jr Joseph S Billiot, Jr Laurence V Billiot Leonard F Billiot, Jr Lisa Billiot Mary L Billiot Paul J Billiot, Sr Shirley L Billiot Steve M Billiot Thomas Adam Billiot Thomas Billiot, Sr Wenceslaus Billiot, Jr Alexander J Billiott Yale Biron William C Black Larry E Blackston Albert Blanchard Andrew J Blanchard |

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| | | | Billy J Blanchard Cyrus Blanchard Daniel A Blanchard Dean Blanchard Douglas Blanchard, Jr Dwayne Blanchard Elgin Blanchard Gilbert Blanchard Jade Blanchard John F Blanchard, Jr Katie Blanchard Matt Joseph Blanchard Michael Blanchard Quentin T Blanchard Quentin Timothy Blanchard Roger Blanchard, Sr Quyen Bland Roy A Blouin Jack Blume, Jr Raymond Blunet, Sr Arturo Bodden Jasper Bodden Darren W Bolotte Larry F Bolton Bon Secour Boats, Inc Bon Secour Fisheries, Inc Paul J Bondi Jimmy J Bonvillain Donna M Bonvillian Clifton Felix Boone Donald F (Ricky) Boone, III Donald F Boone, II Gregory T Boone Noriss P Boquet, Jr Wilfred Boquet, Jr Glenn Bordelon, Sr James P Bordelon Shelby P Bordelon Benny Borden Crystal & Edward Borne Dina L Borne Edward Borne, Jr Edward Borne, Sr Hubert L Bosarge Robert Bosarge Durel A Boudlauch, Jr Larry Terrell Boudoin |

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| | | | Nathan Boudoin Brent J Boudreaux Elvin J Boudreaux, III James C Boudreaux, Jr James N Boudreaux Jessie Boudreaux Leroy A Boudreaux Mark Boudreaux Paul Boudreaux, Sr Richard D Boudreaux Ronald Boudreaux, Sr Sally Boudreaux Veronica Boudreaux Dwayne Boudwin Jewel James Boudwin, Sr Wayne Boudwin Norman Bouise Irwin J Boulet, Jr Debra Boullion Allen T Bourg Benny Bourg Chad J Bourg Channon Bourg Chris Bourg Douglas Bourg Glenn A Bourg Jearmie Bourg, Sr Kent A Bourg Mark Bourg Nolan P Bourg Ricky J Bourg Albert P Bourgeois Brian J Bourgeois, Jr Daniel Bourgeois Dwayne Bourgeois Jake Bourgeois Johnny M Bourgeois Johnny M Bourgeois, Jr Leon A Bourgeois Louis A Bourgeois Merrie E Bourgeois Randy P Bourgeois Reed Bourgeois Webley Bourgeois Chris Bourn Murphy Paul Bourque Ray Bourque |

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| | | | Duvic Bousegard, Jr Manuel J Boutte, Jr Colbert A Bouvier, II Dale J Bouzigard Edgar J Bouzigard, III Eeris Bouzigard Harold Bowers Tommy Bowers Danny Boy David E Boyd, Sr Elbert Boyd Darren L Boykin Thomas C Boykin James Bradley Brian Brady Kay Brandhurst Ray E Brandhurst, Sr David G Braneff William P Brannan Donald James Branom, Jr James M Braud Frank J Brazan Irvin F Breaud, Jr Barbara & Shelby Breaux Brian J Breaux Charlie M Breaux Clifford Breaux Colin E Breaux Daniel Breaux, Jr Larry J Breaux Robert J Breaux, Jr Robert F Briscoe, Jr L D Britsch, Jr Dwayne E Broussard Eric Broussard Keith Broussard Larry Broussard Mark A Broussard Roger David Broussard Roger R Broussard Steve P Broussard Cindy B Brown Colleen Brown Donald G Brown John W Brown Paul R Brown Toby H Brown |

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| | | | Adam J Bruce Bob R Bruce Daniel M Bruce, Sr Emelda L Bruce Gary J Bruce, Sr James P Bruce Lester J Bruce, Jr Margie L Bruce Mary P Bruce Nathan Bruce Robert Bruce Russell Bruce Peter Brudnock, Sr Elton J Brunet Joseph Brunet Joseph A Brunet Levy J Brunet, Jr Bryan Fishermens' Co-op, Inc David N Bryan Ina Fay V Bryant Jack D Bryant, Sr James L Bryant Bubba Daniels, Inc Ernest Buford Ben Bui Dich Bui Dung Thi Bui Huong T Bui Ngan Bui Nhuan Bui Nuoi Van Bui Tai Bui Tieu Bui Tommy Bui Bumble Bee Seafoods, LLC Belvina (Kenneth) Bundy Kenneth Bundy, Sr Nicky Bundy Ronald J Bundy John Buquet, Jr Clayton M Buras Leander Buras Robert M Buras, Jr Waylon J Buras Elliott C Burlett John C Burlett, Jr Burnell Trawlers, Inc |

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| | | | Charles R Burnell Deanna Lea Burnham Stuart E Burns Lindsey Hilton Burroughs, Jr Ronnie Burton Hardy E Busby Tex H Busby Robert A Bush Tyler Bussey Dorothy Butcher Rocky J Butcher Albert A Butler Aline Butler Johnny Bychurch Johnny Bychurch, Jr Alex Cabanilla Jose Santos Caboz Anthony Cacioppo, Jr Mae Quick Cadriere Ronald Cadriere Jack Cahill Stanford Caillouet, Jr Jerry Lane Caison, Jr Stephen P Calcagno, Sr John S Calderone Gene P Callahan, Sr Michael J Callahan Russell Callahan Ann Callais Franklin D Callais Gary D Callais Michael Callais (2) Sandy Callais Terrence Callais Anna Camardelle Chris J Camardelle David Camardelle Edward J Camardelle, III Edward Camardelle, Jr Harris A Camardelle Knowles Camardelle Noel T Camardelle Tilman Camardelle, Jr John A Caminita, III Donald Paul Campo Kevin Campo Nicholas J Campo |

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| | | | Roy Campo Roy Campo, Sr Ernest M Camus, Jr Carl Canova Alvin Cantrelle Eugene J Cantrelle Otis A Cantrelle Otis Cantrelle, Jr Phillip A Cantrelle Tate Cantrelle Robert Joseph Canty Binh Cao Quang Billy Viet Cao Dan Dien Cao Dung Van Cao Heip A Cao Huyen Linh Cao Nghia Thi Cao Si-Van Cao Thanh Kim Cao Tuong Van Cao Capt Chance, Inc Capt. Aaron Capt. Bean (Richard A Ragas) Capt. Bubba, Inc Capt. Carlos Trawlers, Inc Capt. Craig, Inc. Capt. Dickie V, Inc Capt. Doug Capt. GDA, Inc Capt. JDL, Inc Capt. Jimmy Inc Capt. Ken Capt. Seth, Inc Capt. Wally, Inc Captain Arnulfo, Inc Jack G Carinhas, Jr Gregory Carlos Irvin Carlos Carly Sue, Inc David J Carmadelle Rudy J Carmadelle Larry G Carmandelle Carolina Sea Foods, Inc Anthony T Carrere, Jr Larry J Carrier Carson & Co, Inc |

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| | | | Michael Caruso David W Casanova, Sr Alphonse G Cassagne, III Alphonse G Cassagne, IV Joseph Casso Gilbert Castelin Sharon Castelin Raul L Castellanos John A Castelluccio, Jr Joshua Castille Adolph Caulfield, Jr Hope Caulfield James & Jean Caulfield Salvador Cepriano Julius W Cerdas, Jr Marla Cerise CF Gollott and Son Seafood, Inc John Chabert Dean J Chaisson Henry Chaisson Vincent A Chaisson Thomas B Chaix, III Brian Champagne Harold P Champagne Kenton Champagne Leroy Champagne Lori Champagne Timmy D Champagne Willard Champagne Kim J Champlin Jason Chance Jeff Chancey Arturo Chapa Robert G Chaplin, Sr Saxby S Chaplin Charlee Girl Christopher Charles Charlotte Maier, Inc Allen J Charpentier Alvin Charpentier Daniel J Charpentier Lawrence Charpentier Linton Charpentier Melanie Charpentier Murphy Charpentier, Jr Robert J Charpentier Michelle Chartier |

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| | | | Minh Huu Chau Anthony Chauvin Anthony P Chauvin, Jr Carey M Chauvin David James Chauvin James E Chauvin Kimberly Kay Chauvin Alton Bruce Cheeks Ricky Chenier Alan Cheramie Alan J Cheramie, Jr Alton J Cheramie Berwick Cheramie, Jr Berwick Cheramie, Sr Daniel James Cheramie, Sr Danny Cheramie David J Cheramie David P Cheramie Dickey & Robbie Cheramie Donald Cheramie Enola & Murphy J Cheramie Flint Cheramie Harold L Cheramie Harry Cheramie, Jr Harry Cheramie, Sr Harvey Cheramie, Jr Harvey Cheramie, Sr Henry J Cheramie, Sr James Cheramie James A Cheramie Jody P Cheramie Joey J Cheramie Johnny Cheramie Joseph Cheramie Lee Allen Cheramie Linton J Cheramie Mark A Cheramie Murphy J Cheramie Nathan A Cheramie, Sr Neddy P Cheramie Nicky J Cheramie Ojess M Cheramie Paris P Cheramie Robbie Cheramie Rodney E Cheramie, Jr Ronald Cheramie Roy Cheramie |

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| | | | Roy A Cheramie Sally K Cheramie Terry J Cheramie Timmy Cheramie Tina Cheramie Todd Cheramie Tommy Cheramie Wayne A Cheramie Wayne F Cheramie, Sr Wayne J Cheramie Webb Cheramie, Jr Mitch Chevalier Thomas J Chew Jody J Chiasson Manton P Chiasson, Jr Gordon Childress Arthur Chisolm Henry Chisolm, Jr David Christen, Jr Vernon Christen Long V Chung Ngo V Chuong Vance Ciacchio Bozidar Cibilic John Cieutat Albino Cisneros James M Clark Jenings Clark Mark A Clark Ricky L Clark Michael A Cobb Jimmy Cochran Ernest Coleman Freddie Coleman, Jr Rodney A Colletti Ervin J Collier Wade Collier Bernard J Collins Bruce J Collins, Jr Donald Collins Earline Collins Eddie F Collins, Jr Jack Collins (2) Julius Collins Lawson Bruce Collins, Sr Lindy S Collins, Jr Logan A Collins, Jr |

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| | | | Robert Collins Timmy P Collins Vendon Collins, Jr Wilbert Collins, Jr Woodrow Collins Chris & Michelle Colson Michael J Comardelle Allen J Comeaux Curtis J Compeaux Gary P Compeaux Harris Compeaux Jody Cone Van Phan Cong Mario Contreras Edwin A Cook, Jr Edwin A Cook, Sr Joshua Cook Larry R Cook, Sr Theodore D Cook Ernest Neal Cooksey Acy J Cooper, III Acy J Cooper, Jr Acy Cooper, Sr Christopher W Cooper Jon C Cooper Marla F Cooper Vincent J Cooper John R Copeman Roger Cornwall Brenda M & Daniel Cortez Cathy & Curtis Cortez Edgar Cortez Keith J Cortez Leslie J Cortez Robert K Cosse Clayton Coston John Gordon Cotsovalos Allen J Coulon, Jr Allen J Coulon, Sr Amy M Coulon Cleveland F & Earline N Coulon Darrin M Coulon Don Coulon Ellis Coulon, Jr Country, Inc Ronnie Courville Michael Dudley Cowdrey |

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| | | | Michael Nelson Cowdrey Michael T Crain Brian D Crawford Steven J Crawford Quentin Creamer Todd A Credeur, Sr Tony J Credeur Carlton Creppel Catherine Creppel Craig Creppel Freddy Creppel Isadore Creppel, Jr Julinne G Creppel, III Kenneth Creppel (2) Nathan J Creppel, Jr Michael P Creppell Charles J Cristina Sterling James Crochet Tony J Crochet Benjy J Crosby Darlene Crosby Leonard W Crosby, Jr Ted J Crosby Thomas Crosby Lonnie Crum Melinda Cabbage Anthony J Cuccia Anthony J Cuccia, Jr Kevin Cuccia Bryan E Cumbie Hung Cuong Mike Cure Keith J Curole Kevin P & Margaret B Curole Willie P Curole, Jr Custom Pack, Inc Jason Cutrer T Cvitanovich D.G. & R.C., Inc D.S.L & R., Inc DaHa, Inc/Cat'Sass Alfred Daigle David J Daigle E J Daigle Glenn Daigle Jamie J Daigle Jason Daigle |

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| | | | Kirk Daigle Leonard P Daigle Lloyd Daigle Louis J Daigle Melanie Daigle Michael & JoAnne Daigle Michael J Daigle Nona & Cleve Daigle Jeff Daisy Cleveland L Dale David Dang Khang Dang Loan Thi Dang Minh Dang Tao Kevin Dang Thang Duc Dang Thien Van Dang Thuy Dang Van D Dang David Daniels Henry Daniels Leslie Daniels Albert Danos, Sr James A Danos Jared Danos Oliver Danos Oliver J Danos Ricky P Danos Rodney Danos Timothy A Danos Debi d'Antignac Jack d'Antignac Archie A Dantin Mark S Dantin, Sr Stephen Dantin, Jr Paul Dao Vang Dao Chrystil Dao-Nguyen Alibert L Darda, Jr Gertrude & Herbert Darda J C Darda Jeremy & Tammy Darda Trudy Darda Alvin Dardar Basil Dardar, Sr Basile J Dardar Cindy Dardar |

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| | | | David Dardar Donald S Dardar Edison S Dardar, Sr Gayle & Gilbert Dardar Isadore J Dardar, Jr Jacqueline Dardar Jonathan M Dardar Lanny Dardar Larry J Dardar Mary Dardar Neal A Dardar Norbert Dardar Percy B Dardar Rose Dardar Rusty J Dardar Samuel Dardar Summersgill Dardar Terry & Patti V Dardar Toney M Dardar, Jr Toney Dardar, Sr Stephen Dargis Louis Dassau David Gollott Sfd Inc Philip J David, Jr Cliff Davis Daniel A Davis Danny A Davis James Davis John W Davis Joseph D Davis Michael Steven Davis Ronald B Davis William T Davis, Jr William Theron Davis Ilene L Dean John N Dean Stephen Dean Deau Nook Brian K DeBarge Thomas D & Sherry DeBarge Debbe Anne, Inc John Decoursey Walter Dedon Deep Sea Foods, Inc/Jubilee Foods, Inc Darryl Deere David E Deere Dennis H Deere |

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| | | | Robin & Tracie L Defelice Ashton J DeHart, Sr Bernard J Dehart Blair Dehart Clevis Dehart Clevis Dehart, Jr Curtis P DeHart, Sr Eura Dehart, Sr Ferrell Dehart Leonard M Dehart David E DeHillier Chris N DeJean, Jr & Chris N DeJean, Sr Bonnie D Dekemel WM Dekemel, Jr Avery T DelaCruz Ten Chie & Paul Delande Michael J Delatte, Sr Kip M Delaune Thomas J Delaune Todd J Delaune Carroll A Delcambre Jesse Delgado Carlton & Lorene Delino Stephen W Deloach, Jr Herman J Demoll, Jr Herman J Demoll, Sr James C Demoll, Jr Ralph Demoll Robert C Demoll Terry R Demoll Freddy Demolle Otis Demolle Fred Dennis Barbara H Deroche Caghe Derouen Rodney Deshotel David DeSilvey Byron J Despaux Byron J Despaux, Jr Glen A Despaux Ken Despaux Kerry Despaux Suzanne Despaux David E Detillier Bobby C DeVaney, Jr Wesley Frank Dickey Vu Diep |

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| | | | Anita & Corbert Dinger, Sr Eric Dinger Mark H Dinger Chau T Dinh Khai Duc Dinh Lien Dinh Toan Dihn Ernest Dion Paul A Dion Thomas Autry Dion Paul A Disalvo Robert E Dismuke, Sr Dominick Ditcharo, III David Dixon Cuong V Do Dan C Do Dung V Do Hai Van Do Hieu Do Hong Ky Do Hung Do Hung V Do Johnny Do Kiet Van Do Ky Quoc Do Lam Do Liet Van Do Luong Van Do Minh Do Minh Van Do Nghiep Van Do Ta Do (2) Ta Phon Do Thanh V Do Theo V Do Tinh Do Tinh A Do Tri Do Joseph Doan Minh Doan & Liem Doan Ngoc Doan Darryl Domangue Emile Domangue Mary Domangue Michael Domangue Paul Domangue Ranzell Domangue, Sr |

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| | | | Stephen Domangue Westley Domangue Carolyn Domingo Amy R Dominique Gerald Dominique Ernest N Donini David C Donnelly Holly M Donohue Donovan Tien I & II Denise F Dooley Craig B Dopson Presley J Dore Preston J Dore, Jr Janthan C Dorr, Jr Paul J Doucet, Sr Colleen Downey Robert Lee Doxey, Sr Ruben A & William L Doxey John T Doyle Dragnet, Inc John Drawdy Bruce W Drury, Jr Bruce W Drury, Sr Bryant J Drury Eric S Drury Helen M Drury Jeff Drury, III Kevin Drury Kevin S Drury, Sr Steve R Drury Steven J Drury James F Dubberly (3) James Michael Dubberly James Michael Dubberly, Jr John J Dubberly Euris A Dubois John D Dubois, Jr Lonnie J Dubois Louuie J Dubois Kermit Paul Duck Anthony Dudenhefer Connie S Dudenhefer Eugene A Dudenhefer Milton J Dudenhefer, Jr Brad J Duet Darrel A Duet Guy Duet |

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| | | | Jace J Duet Jay Duet John P Duet Larson Duet Ramie Duet Raymond J Duet Tammy B Duet Tyrone Duet Archie Dufrene Charles Dufrene Curt F Dufrene Elson A Dufrene Eric Dufrene Eric F Dufrene, Jr LLC Golden J Dufrene Jeremy M Dufrene Juliette B & Scottie M Dufrene Leroy J Dufrene Milton Dufrene Ronald A Dufrene, Jr Ronald A Dufrene, Sr Toby Dufrene Edward A Dugar, II Donald John Dugas Edward A Dugas, III Henri J Dugas, IV Greta Duhe Dunamis Towing, Inc Faye E & Gary Duncan Loyde C Duncan Bob Dunn Billy Duong Chamroeun Duong E M Duong Ho T Duong Kong Duong Mau Duong Blair P Duplantis David Duplantis Frankie J Duplantis Maria Duplantis Teddy Duplantis Wedgir Duplantis, Jr Anthony James Duplessis, Sr Bonnie S Duplessis Clarence R Duplessis Brandon P Dupre |

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| | | | Cecil Dupre David A Dupre Davis J Dupre, Jr Easton J Dupre Jimmie Dupre, Sr Linward P Dupre Mary L Dupre Michael J Dupre Michael J Dupre, Jr Randall P Dupre Richard A Dupre Rudy P Dupre Ryan A Dupre Tony J Dupre Troy A Dupre Bryan Dupree Derrick Dupree Malcolm J Dupree, Sr Clayton J Dupuis Walter Y Durand Melvn A Dusang Denval H Duval, Sr Wayne Duval Nadine D Dyer Bert L Dykes Adley L Dyson, Jr Adley L Dyson, Sr Amy Dyson Casandra Dyson Clarence Dyson, III Jimmy L Dyson, Sr Jimmy Dyson, Jr Kathleen Dyson Maricela Dyson Phillip Dyson, II Phillip Dyson, Sr William Dyson Bill Eckerd Angela B Edens Donnie Edens Jeremy Donald Edens Nancy M Edens Steven L Edens Timothy Dale Edens Daniel Edgar Joey Edgar Roosevelt Edgerson |

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| | | | Edward Garcia Trawlers Tommy Edwards Jody D Ellerbee David Ellison, Jr Elmira Pflueckhahn, Inc Alfred Encalade, Jr Anthony T Encalade Cary Encalade Joshua C Encalade Stanley A Encalade Joseph L Enclade Michael Enclade & Jeannie Pitre Rodney J Enclade Alfred Englade A L Ennis, Jr Enterprise Inc Grant Erickson Carroll Erlinger Gary R Erlinger Keith A Eschete Benny A Esfeller Kenneth Eskine Ernest J Esponge David James Estaves, Sr Ricky Joseph Estaves Allen J Estay Wayne Estay Anthony E Esteves, Jr Orestes Estrada Emile J Evans, Jr Kevin J Evans Lester Evans Lester J Evans, Jr Tracey J Evans, Sr George C Everson Brian P Eymard, Sr Jervis J & Carolyn B Eymard Morris C Fabiano Mark Fabra Alton Fabre, Jr Ernest J & Peggy B Fabre Kelly V Fabre Sheron Fabre Terry A Fabre Wayne M Fabre Mitchell J Falcon Barney Falgout |

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| | | | Jerry P Falgout Leroy J Falgout Timothy J Falgout Barry Fanguy Thomas J Farris Christopher J Fasone William J Fasone Lester J Faulk Thomas J Favaloro Michael Favre, Jr Jeffery Fazende Thomas Fazende Thomas G Fazende Anthony Fazzio Douglas Fazzio Maxine & Steve Fazzio E J Felarise Wayne A Felarise, Sr Laudelino Fernandez Audrey B Ferrara Dominick Ficarino, Jr Bryan Fields Anthony F Fillinich Anthony Fillinich, Sr Jack Fillinich Penny Fincher William Fincher Burton E Fisch Kelly Fisher Kirk Fisher Kirk A Fisher Fisherman's Reef Shrimp Co Adam Fitch Hanson Fitch Burnell Fitzgerald Kirk Fitzgerald Kirk D Fitzgerald Ricky J Fitzgerald, Jr John M Fleming Meigs F Fleming Mike Fleming Dana Flick Helena D Flores Thomas Flores Steve W Flowers Vincent F Flowers David M & Mary Folse |

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| | | | Heath Folse Ronald B Folse Francis Fonseca, Sr William S Fontaine Peggy D Fontenot Judy Ford Warren Wayne Ford Ralph Foreman, Jr Alva J Foret Billy J Foret Brent J Foret Glenn Foret Houston Foret Lovelace A Foret, Sr Loveless A Foret, Jr Mark M Foret Patricia C Foret David P Forrest John Forsythe Fortune Shrimp Co, Inc Michael A Fortune George J France Albert Francis James K Franklin Anthony Frankovich Michael Franks Richard Wayne Frauenberger David J Frazier David M Frazier James Frazier Michael Frazier Davis Frederick Johnnie & Jeannie Frederick Michael Frederick Freedom Fishing, Inc Arthur D Freeman Darrel P Freeman, Sr Larry Scott Freeman Charles P Frelich Floyd J Frelich Kent Frelich Doug Frerics Albert R Frerks, Jr Darell Frickey Darren Frickey Dirk I Frickey Eric J Frickey |

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| | | | Harry J Frickey, Jr Jimmy Frickey Rickey J Frickey Westley Frickey Brad Friloux Jeanette M Frisella Jerome A Frisella, Jr Wade P Fruge G & O Shrimp Co, Inc G. R. LeBlanc Trawlers, Inc James Gadson Dwayne Gaines Christine Gala Jess J Galjour Reed Galjour John W Gallardo Anthony Galliano Horace J Galliano Joseph Galliano, Sr Logan J Galliano Lynne L Galliano Moise Galliano, Jr A T Galloway, Jr Giles F Galt Luvencie J Gambarella Kristine Ganoi Ana M Garcia Anthony Garcia Edward Garcia Joseph Garcia Kenneth Garcia Larry S Garner Dalton J Gary Ernest J Gary Leonce Gary, Jr Andrew Garza Jose H Garza Elbert Clinton & Sandra Gaskill Timothy Gaspar Dudley A Gaspard, Jr Hazel C Gaspard & Aaron Gaspard Leonard J Gaspard Michael Gaspard, Sr Murry Gaspard Murry A Gaspard, Jr Murry Gaspard, Sr Murvin Gaspard |

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| | | | Ronald W Gaspard, Sr Ronald Wayne Gaspard, Jr Elizabeth & Gregory M Gaubert Melvin Gaubert Allen J Gaudet, IV Ricky Gaudet, Jr Hewitt J Gauthier, Sr William A Gautreaux Norman F Gay Robert G Gay Daryl G Gazzier Emanuel A Gazzier Wilfred E Gazzier William F Gegenheimer James Geiling Tony Geisman Robert Gentry Samuel W Gentry, Jr James J George, Jr Clara Gerica Peter Gerica Corey P Giambrone Eddie E Gibson Joseph Gibson Ronald F Gibson James D Gillikin Chad Paul Girard Mark Giroir Anthony J Gisclair Anthony Joseph Gisclair, Sr August Gisclair Dallas J Gisclair, Sr Doyle A Gisclair Kip J Gisclair Romona Gisclair Wade Gisclair Walter Gisclair Charles D Glover Larry Glynn George Goetz Robert E Goings Gold Coast Seafood, Inc Golden Gulf Coast Pkg Co, Inc George T Golden William L Golden Brian Gollot Edgar R Gollot |

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| | | | Gollott Brothers Sfd Co, Inc Arnold Gonzales, Jr Mrs Cyril E Gonzales, Jr Rene R Gonzales Rudolph S Gonzales Rudolph S Gonzales, Jr Rudolph S Gonzales, Sr Sylvia A Gonzales Tim J Gonzales Jorge Gonzalez, Jr Donald E Gordon Patrick Alvin Gordon Jean J Gordstnoven Henry H Gore Isabel Gore Thomas L Gore Timothy A Gore Gregory Gottschalk Harold C Gourgues, Jr Tony C Goutierrez Darrell Graham Steven H Graham Grandpa's Dream Albert J Granger, Sr Stephen Granier Michael Grass Robert N Graves, Sr Jeannette Gray Monroe & Shirley E Gray Wayne A Gray, Sr Ruston Graybill Craig X Green James W Green, Jr Shaun Green W C Greenlaw, Jr Ernest L Gregoire Rita M Gregoire Curtis B Gregory Mercedes E Gregory Raymond L Grice, Jr Alden J Griffin, Sr David D Griffin Elvis Joseph Griffin, Jr Faye Griffin Faye Ann Griffin Jimmie J Griffin Nolty J Griffin |

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| | | | Rickey Griffin Sharon Griffin Timothy Griffin Troy D Griffin Alfred A & John Groff Hank Groover Brent J Gros, Sr Craig J Gros Danny A Gros Gary Gros, Sr Junius A Gros, Jr Keven Gros Michael A Gros Homer Gross Janet M & Tate Grossie Shane A Grossie Jimmie C Grow John Guenther, Jr Raphael Guenther Bruce Guerra Chad L Guerra Fabian C Guerra Guy A Guerra Kurt P Guerra, Sr Ricky J Guerra Robert Guerra Ryan Guerra Troy A Guerra William Guerra, Jr Warren J Guidroz Alvin A Guidry Andy J Guidry Arthur Guidry Bud Guidry Calvin P Guidry & Holly A Guidry-Calva Carl J Guidry Charles J Guidry Chris J Guidry Clarence P Guidry Clark Guidry Clint Guidry Clinton P Guidry, Jr Clyde A Guidry David Guidry Dobie Guidry Douglas J Guidry, Sr Elgy Guidry, III |

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| | | | Elgy Guidry, Jr Elwin A Guidry, Jr Gerald A Guidry Gordon Guidry, Jr Guillaume A Guidry Harold Guidry Jason Guidry Jessie J Guidry (2) Jonathan Guidry Joseph T Guidry Keith M Guidry Kenneth J Guidry Kerry A Guidry Marco Guidry Michael J Guidry Nolan J Guidry, Sr Randy Peter Guidry, Sr Rhonda S Guidry Robert C Guidry Robert J Guidry Robert W Guidry Roger Guidry Ronald Guidry Roy Anthony Guidry Roy J Guidry Tammy Guidry Thomas P Guidry Timothy Guidry Troy Guidry (2) Ulysses Guidry Vicki Guidry Wayne J Guidry Wyatt Guidry Yvonne Guidry Donald J & Lou Guilbeax Shirley Guillie Horace H Guillory Benjamin J Guillot, Jr Rickey A Guillot Gulf Crown Seafood Co, Inc Gulf Fish, Inc Gulf Island Shrimp & Seafood II, LLC Gulf Shrimp Gulf Sweeper, Inc (Trawler Gulf Sweeper) Gulf Trawlers Lee Gulledge Anita Gutierrez |

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| | | | <p> Jody Guy Kimothy Paul Guy Wilson Guy Cherie Lan Ha Co Dong Ha Lai Thuy Thi Ha Lyanna Ha Johnny Hafford Hagan & Miley, Inc Robbin Richard Haiglea William E Hales Rhonda L Halili Byron S & Lorrie A Hall Darrel T Hall, Sr Michael P Hammer Julius Michael Hammock William Handlin, Sr Cam T Hang Chris Hansen Eric P Hansen Edmond A Hanson Louis Harbison Louis Hardison John C Hardy Sharon Hardy Londrie Harley Michelle Harmon George J Harrington Jay Harrington Bobby D Harris Buster Harris Jimmy Wayne Harris, Sr Johnny Ray Harris Kenneth A Harris Susan D Harris William Harris Daniel L Harrison Leon M Hartmann, Jr Walter Hartmann, Jr Errol Henry Hattaway Kenneth Haycock Gregory Haydel Clinton Hayes (C&S Enterprises of Brandon, Inc) Katherine F & Lod Hayes, Jr Hong Hean Walter Heathcock, Jr Albert Joseph & Betty Jo Hebert </p> |

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| | | | Bernie Hebert Chris Hebert Craig J Hebert David Hebert David Hebert, Jr Earl J Hebert Eric J Hebert Jack M Hebert Johnny Paul Hebert Jonathan Hebert Jules J Hebert Kim M Hebert Lloyd S Hebert, III Michael J Hebert Myron A Hebert Norman Hebert Patrick Hebert Patrick A Hebert Pennington Hebert, Jr Philip Hebert Robert A Hebert Terry W Hebert Gerald J Hedrick, Jr Helen E, Inc Helen Kay, Inc Claudia A & Gerry J Helmer Herman C Helmer, Jr Kenneth Helmer Larry J Helmer, Sr Michael A Helmer, Sr Rusty L Helmer Windy Helmer Brad Henderson Curtis Henderson David A Henderson, Sr & David A Henderson, Jr Olen Henderson P Loam Henderson Joanne Henry Rodney Henry Patrick & Terry Herbert Rodney O Hereford, Jr Rodney O Hereford, Sr Corey Hernandez Mark Herndon Charles W Hertel Edward C Hertz, Sr Allen L Hess |

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| | | | Allen L Hess, Sr Henry D Hess, Jr Jessica R Hess Wayne B Hess James Hewett Hi Seas of Dulac, Inc John Hickman James W Hicks Larry W Hicks Walter R Hicks Nguyen Hien Joseph J Higgins, III Darren S Hill Joseph R Hill Sharon Hill Willie E Hill, Jr Herman W Hills Barbara E & Roland T Hingle, Jr Rick A Hingle Roland T Hingle, Sr Ronald J Hingle R Hinojosa Randy Hinojosa Ricky A Hinojosa Nicole Marie Hipps Dung Tan Ho Hung Ho Jennifer Ho Lam Ho Nga T Ho O Ho Sang N Ho Than H Quoc Ho Thanh Q Ho Thanh Qisoe Ho Thien Dang Ho Tien Van Ho Tri T Ho Dung T Hoang Hoa Hoang John & Julie Hoang Julie Hoang Kimberly Hoang Linda Hoang Loan Hoang Tro Van Hoang Trung Kim Hoang |

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| | | | <p> Trung Tuan Hoang Ly Hoc Harry K Hoffpaviz Boyce Dwight Holler, Jr Dennis J Holtier Carl D Holloway Home Loving Care, Co Malcolm Hood Douglas Hopton Shawn Horaist Warren L Hostettler, II Claude Hotard Emile J Hotard, Jr Jeff B Howard Wendell Howerin, Sr Keith Hubbard Perry Hubbard Berry T Huber Charles A Huber Irma Elaine Huck Steven R Huck Harold Huckabee Patrick A Hue Brad J Hughes Thomas Hults Daniel Hutcherson Douglas Hutchinson George D Hutchinson William H Hutchinson Cynthia E & Henry G Hutto, Jr Hai Van Huynh Dung Huynh Dung V Huynh Hai Huynh (2) Hoang D Huynh Hoang Van Huynh Hung Huynh Johnnie Huynh Kim Huynh Lay Huynh Long Huynh Mack Van Huynh Mau Van Huynh Minh Huynh Minh V Huynh Nam Van Huynh Thai Huynh </p> |

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| | | | Thanh Huynh The V Huynh Tri Huynh Truc Huynh Tu Huynh (2) Van X Huynh Viet Van Huynh Joseph Hymel, Jr Michael D Hymel Nolan J Hymel, Sr Independent Fish Company, Inc Herbert W Ingham Richard M Inglis Joseph S Ingraham Integrity Fisheries, Inc International Oceanic Ent William B Ipock Isabel Maier, Inc George Iver, Jr J & J Rentals, Inc Carl John Jackson David Jackson Eugene O Jackson Glenn C Jackson, Jr Glenn C Jackson, Sr James Jerome Jackson John D Jackson John E Jackson, Sr Levi Jackson Nancy L Jackson Robert W Jackson Shannon Jackson Shaun C Jackson Steven A Jackson Jacob A, Inc Ronald R Jacob Warren J Jacob, Jr Lawrence F Jacobs Billy & Marilyn Jarreau James D Jarvis Emma Jaye JBS Packing Co, Inc Vincent R Jeanfreau William Jefferies Timothy Michael Jemison, Sr Jacobs Jennings Jesse Shantelle, Inc |

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| | | | Harold J Joffrion, Jr Montha Jok & Tan No Le Albert F Johnson Ashley L Johnson Bernard Johnson, Jr Brent W Johnson Bruce W Johnson Carl S Johnson Carolyn Johnson Clyde Johnson, Sr David G Johnson David Paul Johnson Gary Allen Johnson, Sr George D Johnson Randy J Johnson Regenia Johnson Robert Johnson Ronald Ray Johnson, Sr Steve Johnson Thomas Allen Johnson, Jr Ronald Johnston Nicholas J Joly, Jr Charles Jones Clinton & Daisy Mae Jones Jerome N Jones, Sr John W Jones Larry Jones Len Jones Michael G Jones, Sr Paul E Jones Perry T Jones, Sr Ralph William Jones Richard G Jones, Sr Stephen K Jones Joni John, Inc (Leon J Champagne) Donald F Joost Dean Jordan Hubert W Jordan, III (Bert) Hubert W Jordan, Jr Joseph Anthony Ramon G Judalet William Roger Judy Ida Julian John I Julian, Sr Julie Ann LLC Julie Shrimp Co, Inc (Trawler Julie) Julio Gonzalez Boat Builders, Inc |

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| | | | Anthony Juneau, Sr Bruce Juneau Robert A & Laura K Juneau, Jr Leander J Jurjevich K & J Trawlers Jules B Kain, Sr Martin A Kain Kandi Sue, Inc Chamroeun Kang Sambo Kang Brenda Kap KBL, Corp Robert M Keenan Robert Steven Keer Kenneth & Roxanne Kellum, Sr Larry Gray Kellum, Sr Roger B Kelly Thomas E Kelly Chuck J Kendrick Michael S Kennair Dothan Kennedy Kenneth Garcia Trawlers David Kenney, Jr Robert W Kenney Michael A Kent Bunly Keo Steve Kerchner Thurmond Kern Sochenda Khin Lep & Nga Ho Khui Frank Kidd Hank J Kiff Melvin Kiff Horace Kiffe Puch Kim Carson Kimbrough Soeun Kim-Tun Andy A King James B & Wesley King Thornell King An Kit Anthony J Kizer Robert Kleimann Robert Klein Alton P Knapp, Jr Alton P Knapp, Sr Ellis L Knapp, Jr |

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| | | | Melvin L Knapp Theresa Knapp Frederick Knecht, Jr Lee Knezek George Knight Keith B Knight Knight's Seafood Inc Howard J Koch Seng Kong Bobby Konitz Curtis S Koonce Howard N Koonce Mark L Kopszywa Stanley J Kopszywa Stejepan Kotulja Bridget Kraemer Wilbert Kraemer, Jr David Kramer Arthur Krantz, Jr Lori Krantz Ronald A Kreger, Sr Roy J Kreger, Sr Ryan A Kreger Raymond A Krennerich Frank D Kruth Alphonse L Kuchler, III Bruce A Kuhn, Sr Gerard R Kuhn, Jr Gerard R Kuhn, Sr Deborah & Robert Michaels Kuhns L & O Trawlers, Inc L.W. Graham, Inc La Pachita, Inc Kerry LaBauve Sabrina LaBauve Terry LaBauve Todd A LaBiche Carroll LaBove Frederick P LaBove Jacqueline Lachica Douglas Lachico Tony C Lacobon Tommy W Lagoon Brodie LaCoste Carl LaCoste Dennis E LaCoste Grayland J LaCoste |

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| | | | Malcomb LaCoste, Jr Melivn LaCoste Ravin LaCoste, Jr Ravin LaCoste, Sr Clarence J Ladner, III Earlene G Ladson Lady Barbara, Inc Lady Katherine, Inc Lady Kelly, Inc Lady Melissa, Inc Douglas A LaFont, Sr Edna S LaFont Lafont, Inc Jackin Lafont Noces J LaFont, Jr Weyland J LaFont, Sr Lafourche Clipper, Inc Joseph T LaFrance Frank N Lagarde Gary Paul Lagarde Hen K Lai Then Lai Cang Van Lam Cui Lam (2) Dong Lam Dong Van Lam Lan Van Lam Lee Phenh Lam Qui Lam Sochen Lam Tai Lam Tihn Huu Jessie J Lambas, Sr Clarence Lander, III David A Landry Dennis J Landry Edward N Landry, Jr George Landry (2) James F Landry Jude C Landry Robert E Landry Ronald J Landry Samuel J Landry, Jr Tracy Landry Daniel E Lane Lance Lapeyrouse Rosalie Lapeyrouse |

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| | | | Tillman J Lapeyrouse James L LaRive, Jr Daniel LaRoche Lasseigne & Sons, Inc Betty & Jefferson Lasseigne Blake Lasseigne Floyd Lasseigne Frank Lasseigne Ivy Lasseigne, Jr Jefferson P Lasseigne, Jr Johnny J Lasseigne Marlene Lasseigne Nolan J Lasseigne Trent Lasseigne Chhiet Lat Charlotte A Latapie Jerry Latapie Joseph Latapie Joseph F Latapie, Sr Travis Latapie Crystal Latapie Craig J Latiolais Joel Latiolais Ho Thanh Lau James G Laughlin James M Laughlin Yvonne M Laurent Roger Lavergne Terrance Lawdros, Jr Michael A Layrisson, III Amanda Le An Van Le Ben Le Ben & Kim Le Binh T Le Cheo V Le Chinh Thanh Le Cu Thi Le Dai M Le Dale Le David Rung Le Du M Le Due V Le Hien V Le Houston T Le Hung Le Jimmy & Hoang Le |

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| | | | Khoa Le Ky Van Le Lang Van & Tracy Lan Chi Le Lisa T Le Loi Le My Le My V Le Nhieu T Le Nhut Hoang Le Nu Thi Le Phat Le & Le Tran Phuc Van Le Que V Le Robert Le Sau V Le Son Le (2) Son H Le Son Quoc Le Son Van Le Son Von Le Su Le Tam Le Tam V Le Thanh Huong Le Tong Minh Le Tony Le Tuan Nhu Le Viet Hoang Le Vui Le Andrew S Leaf Roland Leary LeBauve, Inc Thomas LeBeauf Donnie LeBlanc Edwin J LeBlanc Enoch P LeBlanc Gareth R LeBlanc, Jr Gareth LeBlanc, III Gerald E LeBlanc Hubert C LeBlanc Jerald LeBlanc Jesse LeBlanc, Jr Keenon A LeBlanc Keenon H LeBlanc Lanvin J LeBlanc Luke A LeBlanc Marty J LeBlanc, Jr & Marty J LeBlanc |

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| | | | Mickel J LeBlanc Robert LeBlanc Robert Patrick LeBlanc Scotty M LeBlanc Shelton LeBlanc Terry J LeBlanc Brent J LeBoeuf Edward J LeBoeuf Emery J LeBoeuf Joseph R LeBoeuf Dale LeBouef Ellis J LeBouef, Jr Jimmie LeBouef Leslie LeBouef Lindy J LeBouef Micheal J LeBouef Raymond LeBouef Tammy Y LeBouef Tommy J LeBouef Wiley LeBouef, Sr Stephen A LeBourgeois Alena & Jesse LeCompte, Jr Aubrey J LeCompte Etha LeCompte Jesse LeCompte, Sr Lyle LeCompte Patricia F LeCompte Todd LeCompte Troy A LeCompte, Sr Brad Ledet Bryan Ledet Carlton Ledet Charles J Ledet Jack A Ledet Kenneth A Ledet Mark Ledet Maxine B Ledet Mervin Ledet Phillip John Ledet Dennis Ledoux Joe J Ledwig Carl Lee James K Lee Marilyn & Robert E Lee Otis M Lee, Jr Raymond C Lee Steven J Lee |

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| | | | Roy J LeGaux, Jr Kerry Legendre Paul Legendre Andre Leger Alex M LeGros Debbie LeJeune Philip LeJeune, Jr & Philip LeJeune, Sr Eddie R LeJuine Aliston B LeLand Rutledge B Leland, III Rutledge B Leland, Jr David LeLeaux Kevin Leleux Jeffery Lemoine, Jr Micheal A Leonard Rosalie Lepeyroose Leroy L Lepine Rudy Lesso, Jr Shawn Lester Dale T Levron Patrick T Levy James Kenneth Lewis, Sr dba FV Mary Ann Mark Steven Lewis Anthony R Libersat Kim Libersat Liberty I & St Vincent One B, Inc Donald L Lichenstien Douglas P Lilley Chhay Lim Koung Lim Tav Seng Lim Eric L Linden Claude T Liner, Jr Harold Liner Jerry Liner Kevin Liner Michael B Liner, Sr Morris T Liner, Jr Morris T & Tandy M Liner, Sr Pham Linh Alex J Lirette, Sr Bobby & Sherri Lirette Chester P Lirette Daniel J Lirette Dean J Lirette Delvin J Lirette, Jr Desaine J Lirette |

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| | | | Eugis P Lirette, Sr Guy Lirette Jeannie Lirette Kern A Lirette Ron Lirette Russell (Chico) Lirette, Jr Shaun Patrick Lirette Terry J Lirette, Sr Little Ernie Gulf Trawler, Inc William A Little William Boyd Little Niem S Liv Ernest J Livaudais Harry R Liverman Michael Anthony LoBue, Sr Dustin Locascio William T Lockhart Kerry Lodrigue Jimmy A Lodrique Joseph P Lombardo James A Lombas Kim D Lombas Robert Long Ronald S Longo, Jr Ryan Heath Longwater Celestino Lopez Harry N Lopez Ron Lopez Scott Lopez Stephen R Lopez, Jr Michael E Lord, Sr Louisiana Newpack Shrimp Co, Inc Louisiana Shrimp and Packing Co, Inc Louisiana Shrimp Association George Loupe, Jr Ted Loupe Billy Lovell Bobby Jason Lovell Bradford Lovell Charles J Lovell, Jr Clayton Lovell Douglas P Lovell Jacob G Lovell Lois Lovell Slade M Lovell Low Country Lady (Randolph N Rhodes) Bernadette C & Rudolph J Luke |

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| | | | David Luke Dustan Luke Henry Luke Jeremy Luke Keith J Luke Patrick A Luke Patrick J Luke Paul Leroy Luke Samantha Luke Sidney Luke, Jr Terry P Luke, Jr Terry P Luke, Sr Timothy Luke Wiltz J Luke Ora G Lund Ferrell J Luneau Thu X Luong Lydia Luscyc Richard Luscyc William A Lutz Binh Luu Vinh Luv Hen Ly Kelly D Ly Nu Ly Ven Ly Rosalie Lyall Lynda Riley, Inc Berton J Lyons Jack Lyons Jerome M Lyons M.V. Lerin Lane Marvin Mackey Kevin L Mackie Wayne A Maggio Edwin W Magwood Danny V & Lang V Mai Tai Mai Rubin J Maise Todd Maise Ernest J Majoue Nathan L Majoue David Malcombe Irwin Ray Mallett Jimmie Mallett Lawrence J Mallett Mervin B Mallett |

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| | | | Rainbow Mallett Stephney Mallett Ned F Malley, Jr Malolo LLC Mamacita, Inc Charles H Mamolo, Sr Romeo C Mamolo, Jr Terry A Mamolo Jesus Mancera Joseph R MaNoel Shon Manuel Chandarasy Mao Kim Mao Michelle Marcel Joe Marchese, Jr Marcos A Ansley Mareno Brent J Mareno Kenneth Mareno Mariah Lynn, Inc Allen J Marie Marty Marie Al Marmande Alidore Marmande Denise Marmande Heather Marquize Kip Marquizz Roy C Marris, Jr Darren & Wendy Martin Dean Martin Dennis Martin Jody W Martin John F Martin, III Michael A Martin Nora S Martin Rod J Martin Roland J Martin, Jr Russel J Martin, Sr Sharon Martin Tanna G Martin Carl R Martinez Henry Martinez Henry Joseph Martinez Lupe Martinez Michael Martinez Rene J Martinez Mary Bea, Inc |

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| | | | James Mason, Jr Johnnie W Mason Luther Mason Percy D Mason, Jr Master Mike, Inc Larry Mathene, Jr Forest J Matherne Anthony Matherne Blakland Matherne, Sr Bradley J Matherne Claude I Matherne, Jr Clifford P Matherne Curtis J Matherne George J Matherne Glenn A Matherne Grace L Matherne James C Matherne James J Matherne, Jr James J Matherne, Sr Joey A Matherne Keith Matherne Louis M Matherne, Sr Louis Michael Matherne Nelson Matherne Thomas G Matherne Thomas G Matherne, Jr Thomas M Matherne Thomas M Matherne, Sr Thomas Matherne, Jr Wesley J Matherne Patrick Mathews (2) Barry Mathurne Martin J Matte, Sr Mark D Mavar Lonies A Mayeux, Jr Roselyn P Mayeux Gary Mayfield Henry A Mayfield Henry A Mayfield, Sr James J Mayfield, III Allen J Mayon Wayne Mayon, Sr Henry J McAnespy Louis McAnespy Marcus H McCall R Terry McCall, Sr Michael McCarthy |

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| | | | Byron Keith & Katrina McCauley Robert R & Debra McClantoc Eugene Gardner McClellan Len McCormick Denny Carlton McCuiston Allan McDonald Harry J McElroy Merlin J McFarlain, Jr Dennis McGuinn James Richard McIntosh Michael D McIntyre John H McIver, Jr Roy McKendree Bobby E McKenzie Robert McKoin Robert F McKoin, Jr Jonathon S McLendon Robert McNab, Jr Don W McQuaig Oliver J McQuaig David P Medine Timmy J Melanco Brent K Melancon Neva Melancon Rickey Melancon Roland D Melancon & Roland T Melancon, Jr Sean P Melancon Terral J Melancon Ozimea J Melanson, III Raymond Joseph Melarine Angela Melerine Brandon T Melerine Claude A Melerine Claude A Melerine, Jr Dean J Melerine Eric W Melerine, Jr John D Melerine, Sr Linda C Melerine Daniel W Melford, Sr Nelvin Mello Randall J Pinnell Member Sophin Men Wade E Menendez Dennis Menesses James H Menesses Louis Menesses Lionel A Menge |

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| | | | Vincent J Menge Mer Shrimp, Inc Dempsey Mercy Harold A Merrick Kevin Merrick, Sr Darren Merritt, Sr Chase Messer Otis J Meyers Soeum Miarm Michael Lynn Steven D Michel Dan Middleton, Sr Henry Miguez Kevin L Miguez, Sr Ricky David Miles Joseph Militello David W & Rhonda E Miller Fletcher N Miller James A Miller Larry B Miller Mabry Allen Miller Mabry Allen Miller, Jr Michael E Miller Michele K Miller Randy A Miller Wayne Miller Leon B Millet Milliken & Son's Donnie Millington Ronnie Millington Moses Millis Raeford Millis Ralford Millis Timmie Lee Millis Derrick Mine Peter G Miner Phuc-Truong Minh Miss Alice, Inc Miss Ashleigh Miss Barbara Miss Bertha (M/V) & Kevin & Bryan (M/V) Miss Candace Miss Candace Nicole, Inc Miss Carla Jean, Inc Miss Caroline, Inc Miss Carolyn Louise, Inc Miss Cleda Jo, Inc |

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| | | | Miss Danielle Gulf Trawler, Inc Miss Gabrielle, Inc Miss Georgia, Inc Miss Hannah Miss Loraine Miss Luana D Shrimp Co Miss Marilyn Louise, Inc Miss Nicola Miss Rhianna, Inc Miss Sandra II Miss Savannah II Miss Suzanne Miss WillaDean Miss Yvette, Inc Ricky Allen Mitchell Todd Mitchell Francis C Mitchum G C Mixon Bryan A Mobley Jimmy Mobley, Sr Robertson Mobley Frank Mock, Sr Frankie E Mock, Jr Jesse R Mock, II Terry Mock Louis Frank Molero Louis Molero, III Al L Molinere Floyd Molinere Roland & Stacy Molinere, Jr Angela Moll Jerry J Moll, Jr Jonathan P Moll Julius J Moll Randall Moll, Jr Randall Mollere Mom & Dad, Inc Philip J Mones, Jr Tino Mones Guy D Moody Carl Stephen Moore Curtis L Moore Kenneth Moore Richard Moore Willis Moore Nguyen Moot Anthony Morales |

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| | | | Clinton A Morales Daniel Morales, Jr Daniel Morales, Sr David Morales Elwood J Morales, Jr Eugene J Morales, Jr Eugene J Morales, Sr Kimberly & Raul Morales Leonard L Morales Phil J Morales, Jr Scott Moran Allen J Moreau Berlin J & Mary Moreau, Sr Daniel R Moreau Hubert Moreau Rickey J Moreau, Sr Arthur B Morehead, Jr Ansley Moreno Harold R Morgan John Morici Herbert Eugene Morris Jesse A Morris Jesse A Morris, Sr Preston Morris Robert A Morton Keith M Morvant Patsy Lishman Morvant Chalam Moschetteiri Kevin R Moseley William L Mouille Ashton J Mouton Timothy Moverant Mr. Verdin, Inc Mark Mund Denis R Murphy Gary J Muth, Sr Joseph E Myers, Jr Tran Van Na Andrew Naccio Lance M Nacio Noel Nacio Philocles J Nacio, Sr Nancy Joy Alton J Naquin Andrew J Naquin, Sr Antoine Naquin, Jr Autry James Naquin |

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| | | | Bobby J & Sheila Naquin Christine & Milton H Naquin, IV Dean J Naquin Donna P Naquin Earl Naquin Earl L Naquin Freddie Naquin Gerald Naquin Henry Naquin Jerry Joseph Naquin, Jr Kenneth J Naquin, Jr Kenneth J Naquin, Sr Kenneth Naquin, Jr Linda L Naquin Lionel A Naquin, Jr Mark D Naquin, Jr Marty J Naquin, Sr Oliver A Naquin Robert Naquin Roy A Naquin Vernon Naquin Curtis J Navarre Emma & Floyd G Navero, Jr Craig A Neal Roy J Neal, Jr Bobby H Neely Raymond E Nehlig, Sr Dean Neil Jacob Neil Robert J Neil, Jr Deborah Nelson Elisha W Nelson Ernest R Nelson Faye Nelson Fred H Nelson, Sr Gordon Kent Nelson, Sr Gordon W Nelson, III Gordon W Nelson, Jr William O Nelson, Jr Aaron J Nelton, Jr Steven J Nelton Nevgulmarco Co, Inc Ronald B Newell Thomas E Newsome Paul J Newton Dong Xuan Neyuh Hung V Ngo |

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| | | | Liem Thanh Ngo The Ngo Truong Dinh Ngo Vu Hoang Ngo Thoi Ngu Amy Nguyen An Hoang Nguyen Andy Dung Nguyen Anh Nguyen Auyan Nguyen Ba Nguyen Bac Van Nguyen Bao Q Nguyen Bich Thao Nguyen (2) Bien Nguyen Binh Nguyen (3) Binh Cong Nguyen Binh V Nguyen Can Van Nguyen Cath V Nguyen Charlie Nguyen Chien Nguyen Chien Van Nguyen Chin Nguyen Chinh Van Nguyen Christian Nguyen Chung Nguyen Chung Van Nguyen Chuong Hoang Nguyen Chuong V Nguyen Chuyen Nguyen Coolly Dinh Nguyen Cuong Nguyen Dai Nguyen Dan Nguyen Dan Van Nguyen (2) Dang Nguyen Danny Nguyen De Van Nguyen Den Nguyen Diem Nguyen Dien Nguyen Diep Nguyen Dinh Nguyen (2) Dong T Nguyen Dong X Nguyen Duc Nguyen |

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| | | | Duc Van Nguyen Dung Nguyen Dung Ngoc Nguyen Duong V Nguyen Duong Xuan Nguyen Dvoc Nguyen Elizabeth Nguyen Gary Nguyen Giang T Nguyen Giau Van Nguyen Ha T Nguyen Ha Van Nguyen Hai Nguyen Hai Van Nguyen Han V Nguyen Hang Nguyen Hanh T Nguyen Harry H Nguyen Henri Hiep Nguyen Henry-Trang Nguyen Hien Nguyen Hiep Nguyen Ho V Nguyen Hoa Nguyen Hoa N Nguyen Hoang Nguyen (2) Hoi Nguyen Hung Nguyen (2) Hung M Nguyen Hung Van Nguyen Huu Nghia Nguyen Jackie Tin Nguyen James Nguyen Jennifer Nguyen Jimmy Nguyen (2) Joachim Nguyen Joe Nguyen John R Nguyen John V Nguyen Johnny Nguyen Joseph Minh Nguyen Kenny Hung Mong Nguyen Khanh Nguyen Khanh & Viet Dinh Nguyen Khanh Q Nguyen Khiem Nguyen Kim Nguyen (2) |

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| | | | Kinh V Nguyen Lai Nguyen (2) Lai Tan Nguyen Lam Van Nguyen Lang Nguyen (2) Lanh Nguyen Lap Van Nguyen Le Nguyen Lien Thi Nguyen Linda Oan Nguyen Linh Thi Nguyen Lintt Danny Nguyen Luu Nguyen Loc Nguyen Loi Nguyen (2) Long Phi Nguyen Long T Nguyen Long Viet Nguyen Luom T Nguyen Mai Van Nguyen Man Van Nguyen Mao-Van Nguyen Mary Nguyen Minh Nguyen (3) Minh Ngoc Nguyen Minh Van Nguyen (2) Mui Van Nguyen Mung T Nguyen My Le Thi Nguyen My Tan Nguyen My V Nguyen Nancy Nguyen Nghie Q Nguyen Nghia Nguyen Ngiti Nguyen Ngoc Tim Nguyen Ngoc Van Nguyen Nguyet Nguyen Nhi Nguyen Nuona Nguyen Nuong Nguyen Peter Nguyen Peter V Nguyen Phe Nguyen Phong Ngoc Nguyen Phong T Nguyen Phong Xung Nguyen |

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| | | | Phu Huu Nguyen Phuc Nguyen Phuoc H Nguyen Phuoc Van Nguyen Phuong Nguyen (2) Quang Nguyen Quang Dang Nguyen Quang Dinh Nguyen Quang Van Nguyen Quoc Van Nguyen Quyen Minh Nguyen Quyen Van Nguyen Quyent Nguyen Ran T Nguyen Randon Nguyen Richard Nguyen Rick Nguyen Ricky Thinh Nguyen Sam Nguyen Sandy Ha Nguyen Sang Nguyen Sau V Nguyen Si Ngoc Nguyen Son Thanh Nguyen Son Van Nguyen Steven Giap Nguyen Tai Nguyen Tai The Nguyen Tai Thi Nguyen Tam Nguyen Tam Thanh Nguyen Tam V Nguyen Tam Van Nguyen Tdan Van Nguyen Ten Tan Nguyen Thach Nguyen Thang Nguyen (2) Thanh Nguyen (5) Thanh P Nguyen Thao Nguyen Thi Bich Hang Nguyen Thiet Nguyen Tho Duke Nguyen Thoa Nguyen Thoa D Nguyen Thoa Thi Nguyen Thomas Nguyen |

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| | | | Thu Duc Nguyen Thuong Van Nguyen Thuy Nguyen Thuyen Nguyen (2) Tinh Nguyen Tinh V Nguyen Toan Nguyen Toan Van Nguyen Tommy Nguyen Tony Nguyen Tony D Nguyen Tony Si Nguyen Tra Nguyen Tracy T Nguyen Tri D Nguyen Trich Nguyen Trich Van Nguyen Tu Van Nguyen Tuan Nguyen Tuan A Nguyen Tuan H Nguyen Tung Nguyen Tuyen Duc Nguyen Van H Nguyen Van Loi Nguyen Viet Nguyen (2) Viet Van Nguyen Vinh V & Vuong V Nguyen VT Nguyen Vu Minh Nguyen Vu T Nguyen Vu Xuan Nguyen Vui Nguyen Xuong Kim Nguyen Seri Nhon Steve Anna Nichols Gary Nicholson Leonard Nixon Earl Noble Timothy Normand Candace P Norris John A Norris Kenneth L Norris Kevin Norris North Point Trawlers, Inc James E Nowell Phen Noy |

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| | | | Conrad Nunez Jody Nunez Joseph Paul Nunez Randy Nunez Wade Joseph Nunez Dong Xuan Nynh Darryl Oberling Adam O'Blance Gary S O'Brien Mark O'Brien Michele O'Brien Ocean Select Seafood, LLC Ocean Springs Seafood Market, Inc Henry & Phyllis Oglesby Michael P O'Gwynn, Sr George J & Eva G Ohmer Hazel Olander Rodney Olander Roland J Olander Russell J Olander Thomas Olander Kevin Olano Owen J Olano Shelby F Olano Malcolm D Olds, Jr Wilfred J Olinde, Jr Carey O'Neil Brad R Oracoy Eugene Orage Het Orlando Robert F Oteri Faron P Oubre SokHoms K Ourks Larry E Owens Timothy Owens Thomas Pacaccio, Jr Kenneth J Padgett Roben Palimisano Gay Ann P Palmer John W Palmer Mack Palmer Daniel P Palmisano Dwayne Palmisano, Jr Kim Palmisano Larry J Palmisano Leroy J Palmisano Robin G Palmisano |

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| | | | Phuong Bui Pam Papa Rod, Inc Antoine C Parfait, Jr Jerry & Mary S Parfait, Sr John C Parfait Joshua K Parfait Olden G Parfait, Jr Robert C Parfait, Jr & Robert C Parfait, Sr Rodney Parfait Shelton J Parfait Timmy J Parfait Clyde A Parker Franklin L Parker Paul A Parker Percy Todd Parker Daniel Duane Parks Ellery Doyle Parks, Jr Joseph D Parrett, Jr Danny Parria Gavin C Parria, Sr Gillis Parria, Jr Gillis Parria, Sr Jerry D Parria Kip G Parria & Louis J Parria, Sr Lionel J Parria, Sr Louis Parria, III Louis Parria, Jr Michael Parria Ronald Parria Ross Parria Troy M Parris Walter L Parrish Penny Passmore Shane Pate Richard Paterbaugh Roger D Patingo Paul Piazza and Son, Inc Robert Emmett Paul John Payne Stuart Payne Pearl, Inc dba Indian Ridge Shrimp Co James Curtis Pelas Corey P Pellegrin Curlynn Pellegrin James A Pellegrin, Jr Jordey Pellegrin Karl Pellegrin |

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| | | | Karl J Pellegrin Randy Pellegrin, Sr Rodney J Pellegrin, Sr Samuel Pellegrin Troy Pellegrin Troy Pellegrin, Sr Randy Pelligrin Clyde Peltier Rodney J Peltier Bartolo Pena, Jr Israel Pena Gracie Pendarvis Elaine & Milton Pennison David P Percle Allen M Perez David J Perez David P Perez Derek Perez Edward Perez, Jr Henry Perez, Jr Joe B Perez Tilden A Perez, Jr Warren A Perez, Jr Warren A Perez, Sr Wesley Perez Dale Perrin David M Perrin Edward G Perrin, Sr Errol J Perrin, Jr Jerry J Perrin Kenneth V Perrin Kevin Perrin Kline J Perrin, Sr Kurt M Perrin Michael Perrin Michael A Perrin Murphy P Perrin Nelson C Perrin, Jr Pershing J Perrin, Jr Robert Perrin Tim J Perrin Tony Perrin Nelian C Perrio, Jr William T Persohn Kirk Lynn Peshoff Alfred F Pete, Jr Alfred F Pete, Sr |

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| | | | William A Pflieger An V Pham Anh My Pham Bob Pham Cho Pham Cindy Pham David Pham Dung Pham Dung Nick Pham Duong Van Pham Gai Pham Hai Hong Pham Hiep Pham Hung Pham Hung V Pham (2) Kannin Pham Nam V Phan Pham Nhung T Pham Osmond Pham Paul P Pham Phong Thanh Pham Phung Pham Quoc V Pham Steve Ban Pham Thanh Pham Thinh Pham Thinh V Pham Tommy V Pham Ut Van Pham Anh Thi Phan Banh V Phan Con Van Phan Dan T Phan Hanh Van Phan Hoang Phan Johnny Phan Thong Phan Tien V Phan Toan Phan Lam Mau Phat John D Phelps Bruce Phillips Danny D Phillips Gary Phillips Harry L Phillips James C Phillips, Jr Kistrina W Phillips |

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| | | | A W Phipps Khaolop Phonthaasa Phen Phorn Tran D Phuc Kathy Pickett Calvin Picou, Jr Gary M Picou Jennifer Picou Jerome J Picou Jordan J Picou Randy Picou Ricky Picou, Sr Terry Picou Aaron Pierce Dean Pierce Elwood Pierce Imogene Pierce Stanley Pierce Taffie Boone Pierce Ivy Pierre Joseph Pierre Joseph C Pierre, Jr Paul J Pierre Ronald J Pierre Jake Pierron Patsy H & Roger D Pierron Ernie A Pinell Harry J Pinell, Jr Jody Pinell Randall James Pinell Richard J Pinnell Robert Pinnell Benton J Pitre Carol Pitre Claude A Pitre, Sr Elrod Pitre Emily B Pitre Glenn P Pitre Herbert Pitre Jeannie Pitre Leo P Pitre Robert Pitre, Jr Robin Pitre Ryan P Pitre Ted J Pitre Bonnie Pizani Craig Pizani |

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| | | | Jane Pizani Terrill Pizani Terry M Pizani Terry M Pizani, Jr Arthur E Plaisance Burgess Plaisance Darren Plaisance Dean J Plaisance, Sr Dorothy B Plaisance Dwayne Plaisance Earl J Plaisance, Jr Errance H Plaisance Evans P Plaisance Eves A Plaisance, III Gideons Plaisance Gillis S Plaisance Henry A Plaisance, Jr Jacob Plaisance Jimmie J Plaisance Joyce Plaisance Keith Plaisance Ken G Plaisance Lawrence J Plaisance Lucien Plaisance, Jr Peter Plaisance, Jr & Peter A Plaisance, Sr Richard J Plaisance Russel P Plaisance Thomas Plaisance Thomas J Plaisance Wayne P Plaisance Whitney Plaisance, III Phan Plork Glenn J Poche, Jr Glenn Poche, Sr Gerald Pockrus Russell Poiencot, Jr Charles A Poillion Gerald Polito Gary Polkey Richard R Polkey, Jr Ronald Polkey Shawn Michael Polkey Lionel J Pollet, Sr Ben Ponce Lewis B Ponce Raymond Poon Robert Pope |

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| | | | Winford A Popham David M Poppell Ricky J Porche Port Royal Seafood, Inc Bobby & Penelope J Portier Chad Portier Corinne L Portier Robbie Portier Russel A Portier, Sr Hubert Edward Potter, Jr Robert D Potter Terry Wayne Pounds Clyde T Powers Dennis J Prejean Carl Price Curtis Price Edwin J Price Franklin J Price George J Price, Sr Norris J Price, Sr Steve J Price, Jr Timmy T Price Wade J Price Warren J Price Steve Prihoda Scott Primeaux Dixie J & James R Pritchard Claude J Prosperie, Jr Myron Prosperie Rollen Prout Sharonski K Prout Thou Prum Charles D Pugh, Jr Charles D Pugh, Sr Cody Pugh Deanna Pugh Donald Pugh Nickolas Pugh Alvin Punch, Jr Donald J Punch Todd M Punch Travis J Punch Emil Purse George Puvis Joe Quach Dora M Quinn R & J, Inc |

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| | | | Charles Racca Chip Racine Albert G Ragas Gene Ragas John D Ragas Jonathan Ragas Richard A Ragas Ronda S Ragas Lester B Ralph Alfred J Ramirez, Jr Sylvan P Racine, Jr (Cape Romain) Randall Pinell Inc John A Randazza, Jr Rick A Randazzo Stanley D Rando Randy Boy, Inc Ellis Gerald Ranko Dwayne Rapp Leroy & Sedonia Rapp John H Rawlings, Sr Ralph E Rawlings Leo Ray William C Ray, Jr Steven Earl Raynor Keltly O Reademour Roy Reagan Patrick W Reason Paul S Reaux, Sr Craig A Reaves Laten Reaves Paul J Rebery, Sr Steve M Rebert, Jr Charles Rebstock Lance Recter, Jr Warren L Recter Yvonne Redden Leoncea B Regnier Garland Remondet, Jr Lanny Renard Edward Reno George C Reno George H Reno George T Reno Harry Reno Ben D Revell Reyes Trawlers, Inc Dwight D Reyes, Sr |

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| | | | Marcello Reynon, Jr Randolph N Rhodes Christopher L Rhoto Frank A Ribardi Wanda Heafner Rich Irvin J Richaox, Jr Bruce J Richard David L Richard Edgar J Richard James Ray Richard Melissa Richard Randall K Richard James T Richardson Daniel E Richert Earl Richo, Sr Dudley D Richoux, Jr Larry & Judy Richoux Mary A Richoux Raymond A Riego Josiah B Riffle Randall R Rigaud Jeffrey B Riggs Jackie Riley, Sr Raymond Riley Anthony J Rinkus, III Amado Rios Norris M Ripp Dan S Robert Michael A Roberts Kevin Robertson Richard S Robeson, Jr Craig J Robichaux Alvin G Robin Cary Joseph Robin Charles R Robin, III Danny J Robin Donald Robin Floyd A Robin Kenneth J Robin, Sr Ricky R Robin Johnson P Robinson, III Walter Robinson Clay Roccaforte Dominick R & Rhonda Rodi Brent J Rodrigue Carrol Rodrigue, Sr Glenn & Sonya Rodrigue |

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| | | | Lerlene Rodrigue Reggie Rodrigue, Sr Wayne Rodrigue Barry Rodriguez Gregory Rodriguez Jesus Rodriguez Orn Roeum Barry David Rogers Chad Rogers Chad M Rogers Kevin Rogers Nathan J Rogers Carlton J Rojas, Sr Curtis Rojas, Sr Dennis J Rojas, Sr Gordon V Rojas Kerry D Rojas Kerry D Rojas, Jr Randy Rojas, Sr Raymond J Rojas, Jr Brad Roland Mathias C Roland Vincent Roland Theresa Rollins Wayne A Rollo Victor J Rome, IV D H Romero Kardel J Romero Norman Romero Philip J Romero Romo, Inc Glenn Ronquille Norman C Ronquille Earl Ronquillo Richard J Ronquillo Timothy Ronquillo Rosa Marie, Inc Charles R Roseburrough, Jr Dorothy Ross Edward Danny Ross, Jr Leo L Ross Robert A Ross Joseph F Roth, Jr Joseph M Roth, Jr Carolyn Rotolo Feliz Rotolol Jimmy Rouse |

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| | | | Michael D Roussel, Jr Henry Lee Roy, Jr Chad A Rudolph Donald W Ruiz James L Ruiz Paul E Ruiz Paul R Ruiz Bentley R Russell Casey Russell Daniel Russell James Russell, III Michael J Russell Nicholas M Russell Paul Russell Kenneth Rustick Adrian K Ruttley Ernest T Ruttley, Jr J T Ruttley James C Ryan, Sr Rhebb Rybiski Luther V Ryder Sabrina Marie, Inc Stewart Sadler Everett Sagnes Amanda K Saha Salina Cruz, Inc Don M Saling Sue A & Preston J Saltalamachia Lawrence Salvato, Jr Samaïra, Inc Caroll J Samanie Frank J Samanie Don Samsome San Dia Malcolm H Sanabe Troy P Sanamo Augustine Sanchez Jeffery A Sanchez Juan Sanchez Robert A Sanchez William Shannon Sanders Sandra G, Inc R J Sandras R J Sandras, Jr Roy R Sandrock, III Santa Maria, Inc Lindberg W Santini, Jr |

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| | | | James Santiny Patrick Santiny Caroll J Sapia, Jr Eddie J Sapia, Jr Willard Sapia Michael Rance Saturday Tran Sau Carlton J Sauce Joseph C Sauce, Jr Houston J Saucier Russell Sauls Malcolm H Savage Raymond Savant Allen Savoie Brent T Savoie James Savoie Merlin F Savoie, Jr Reginald M Savoie, II Gerald Sawyer Rodney Sawyer Clifford Scarabin Michael J Scarabin Kelly Schaffer Curry A Schanbhut Lester B Schelling, Jr Michael Schexnaydre Robert Schirmer, Jr Joseph J Schjatt, Sr Henry Schlindwein Paul A Schmit, Jr Paul A Schmit, Sr Victor J Schmit, Jr Ellis J Schouest, III Ellis Schouest, Jr Juston Schouest Mark Schouest Noel Schouest Robert H Schrimpf, Jr Sidney Schultz Troy A Schultz Arron J Scott Audie B Scott James E Scott, III Milford P Scott Paul Scott Sea Eagle Fisheries, Inc Sea Pearl Seafood Company, Inc |

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| | | | Seabrook Seafood, Inc Terry G Seabrook Garry Seaman Greg Seaman Ollie L Seaman, Jr Ollie L Seaman, Sr Meng Seang Robert Craig Sehon S George Sekul Morris G Sekull Charles Sellers Issac Charles Sellers Sopphen Seng Adam R Serigne Elizabeth Serigne James J Serigne, III Kimmie J Serigne Lisa M Serigne Neil Serigne O'Neil N Serigne Richard J Serigne, Sr Rickey N Serigne Ronald Raymond Serigne Ronald Roch Serigne Ross Serigne Gail Serigny Wayne A Serigny Lenny Serpas, Jr William O Sessions, III William O Sessions, Jr Michael D Sevel Carl Sevin Earline Sevin Janell A Sevin Joey Sevin Nac J Sevin O'Neil J Sevin Phillip T Sevin Shane Sevin Shane Anthony Sevin Stanley J Sevin Symantha A Sevin Willis Sevin Janet A Seymour David M Shackelford Curtis E Shaffer Glynnon D Shaffer |

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| | | | Danielle A Shay Jason Shilling L E Shilling Robert L Shugars Randy Shutt Sidney Fisheries, Inc Curtis Silver, Jr Curnis Simon John Simon Leo Simon Mark Simpson Donald L Sims Alan Singley Charlie E Singley, Sr Glenn Singley Robert Joseph Singley Jace Sirgo Walter Sisung Walter Sisung, Jr Gary M Skinner, Sr Richard Skinner Skip Toomer, Inc Malcom W Skipper Martin J Skrmetta Skyla Marie Inc Brian H Smelker Brian Smith Carl R Smith, Jr Clark W Smith Danny Smith Danny M Smith, Jr Donna Smith Elmer T Smith, Jr James E Smith Margie T Smith Mark A Smith Nancy F Smith Raymond C Smith, Sr Tim Smith Walter M Smith, Jr William T Smith Ted W Smithwick Bill Smoak William W Smoak, III Erick Snell Snodgrass Phat Soeung |

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| | | | John C Soileau, Sr Kheng Sok Nhiep Sok Darren Solet Donald M Solet Joseph R Solet Raymond Solet Kim Son Sam Nang Son Samay Son Thuong Cong Son Daniel Soprano William Sork Louis Soudelier, Jr Shannon Soudelier Yem Kim Sour South Carolina Shrimpers Association Barbara Kay Spier Jeffrey B Spell Mark A Spell Joel F Spellmeyer, Sr Casey Spencer Donald A Spiers Avery M Sprinkle Emery S Sprinkle Joseph Sprinkle Kenneth J Squarsich Siphon Sreiy Dana A St. Amant Mr & Mrs Jerome K St. Ann Darren St. Pierre Scott A St. Pierre Patrick Staves Chad Stechmann Karl J Stechmann Todd Stechmann Arnold D Steele, Jr Henry H Steele, III Carl L Steen James D Steen Kathy G Steen Norris J Stein, Jr Stella Mestre, Inc Adlar Stelly Carl A Stelly Chad P Stelly Delores Stelly |

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| | | | Sandrus Stelly, Jr Sandrus Stelly, Sr Toby J Stelly Veronica G Stelly Warren Stelly Louis Stephenson Alvin Stevens Curtis D Stevens Glenda Stevens Chester Stewart, Jr Derek Stewart Fred Stewart Jason F Stewart Ronald G Stewart William C Stewart Derald Stewat Thanh Stiffler Lawrence L Stipelcovich Todd J Stipelcovich Brenda Stockfett Todd Stokes Pamela Stone-Rinkus Ken Strickland Rita G Strickland James V Stuart Rex E Stutes Billy W Sulak Hong Sreng Sun Donald D Surmik Patrick Sutton Swamp Irish, Inc Keith Swindell Dennis A Sylve James L Sylve Nathan Sylve Scott Sylve Paul Sylvesr Ba Van Ta Chris Ta Yen Ta Calvin Tabb Andrew Taliancich Ivan & Srecka Taliancich Joseph M Taliancich Ho Dung Tan Hung Tan Lan T Tan |

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| | | | Thanh Tang Robert Charles Tanner Tanya Lea, Inc Raymond Taravella Alton J Tassin Keith P Tassin Archie P Tate Terrell Tate Kevin M Tauzier Doyle L Taylor Herman R Taylor Herman R Taylor, Jr J P Taylor, Jr John C Taylor Leander J Taylor, Sr Leo Taylor, Jr Nathan L Taylor Robert L Taylor Robert M Taylor Phal Teap Heng Tek Paul Templat John L Terluin, III A Scott Terrebonne Alphonse J Terrebonne Alton S Terrebonne, Jr Alton S Terrebonne, Sr Carol Terrebonne Carroll Terrebonne Chad Terrebonne, Sr Daniel J Terrebonne Donavon Terrebonne Gary J Terrebonne Jimmy Terrebonne, Jr Jimmy Terrebonne, Sr Kline A Terrebonne Lanny Terrebonne Larry F Terrebonne, Jr Scott Terrebonne Steven Terrebonne Toby J Terrebonne Chad J Terrel, Sr C Todd Terrell Brandon James Terrio Harvey J Terrio, Jr Terry Luke Corp Terry Lynn, Inc |

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| | | | Eloise Terry Kuzma D Tesvich Texas Pack, Inc Tex-Mex Cold Storage, Inc Phuong Thach Paul Thai Thomas Thai Anthony Theriot Carroll A Theriot, Jr Clay J Theriot, Jr Craig A Theriot Dean P Theriot Donnie Theriot Jeffrey C Theriot Larry J Theriot Lynn Theriot Mark A Theriot Wanda J Theriot Bart James Thibodeaux Brian A Thibodeaux Brian M Thibodeaux Calvin A Thibodeaux, Jr Fay F Thibodeaux Glenn P Thibodeaux Jared Thibodeaux Jeffrey Thibodeaux Jonathan Thibodeaux Josephine Thibodeaux Keith Thibodeaux Tony J Thibodeaux Warren J Thibodeaux Tran Thiet Thomas G, Inc Alvin Thomas Brent Thomas Dally S Thomas Janie G Thomas John Richard Thomas Kenneth Ward Thomas Monica P Thomas Ralph L Thomas, Jr Randall Thomas Robert W Thomas Willard N Thomas, Jr Gerard Thomassie Nathan A Thomassie Philip A Thomassie |

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| | | | Ronald Thomassie Tracy J Thomassie David Thompson Edwin A Thompson George Thompson James D Thompson, Jr James Thompson, Jr John E Thompson John R Thompson Randall Thompson Shawn Thompson Thong John J Thonn, Jr Victor J Thonn Robert Lee Thorpe, Jr Three Sons, Inc Charles E Thurman Tidelands Seafood Co, Inc Thanh Tiet Tiffani Claire, Inc Tikede, Inc Gene E Tilghman Billy Carl Tillett Lewis A Tillman, Jr Timothy P & Yvonne M Tillman Pat Tillotson Mark A Tinney Georgia W Tisdale Oscar Tiser Thomas C Tiser, Jr Thomas C Tiser, Sr Du Van To Fred Noel Todd Rebecca G Todd Robert C Todd Vonnice Frank Todd, Jr Gerald Tompkins, II George Toney, Jr Hai V Tong Linh C Tony Tonya Jane, Inc Christina Abbott & William Kemp Toomer Christy Toomer Frank G Toomer, Jr Jeffrey E Toomer Kenneth Toomer Lamar K Toomer |

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| | | | Larry C & Tina Toomer David P Torrible Jason Torrible Anthony H Touchard John B Touchard, Jr Paul V Touchard, Jr Eldridge Touchet, III & Eldridge Touchet, Jr Anthony G Toups Bryan Toups George A Toups Jeff Toups Jimmie J Toups Kim Toups Manuel Toups Ted Toups Tommy Toups James Toureau Melvin H Tower Harmon Lynn & Marion Brooks Townsend Hop T Tra Nguyen Tra James D Trabeau Allen A Trahan, Jr Alvin Trahan, Jr Druby Trahan Dudley Trahan Elie J Trahan Eric J Trahan James Trahan Karen C Trahan Lynn P Trahan, Sr Ricky Trahan Ronald J Trahan Tracey L Trahan Wayne Paul Trahan Allen Hai Tran Andana Trana Anh Tran (2) Anh N Tran Bay V Tran Binh Tran Ca Van Tran Cam Van Tran Chau Van Tran Chi T Tran Chu V Tran Cuorg Tran |

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| | | | Den Tran |
| | | | Dien Tran |
| | | | Dinh Tran |
| | | | Dinh M Tran |
| | | | Duoc Tran (2) |
| | | | Duong Tran |
| | | | Eric Tran |
| | | | Francis Tran |
| | | | Giang Tran |
| | | | Giao Tran |
| | | | Hien H Tran |
| | | | Hiep Tran |
| | | | Hiep Phuoc Tran |
| | | | Hieu Tran |
| | | | Hoa Tran (2) |
| | | | Hue T Tran |
| | | | Huey Tran |
| | | | Hung Tran |
| | | | Hung (Eric) Tran |
| | | | Hung P Tran |
| | | | Hun Viet Tran |
| | | | John Tran |
| | | | Johnny Dinh Tran |
| | | | Joseph Tran |
| | | | Joseph T Tran |
| | | | Khan Van Tran |
| | | | Khanh Tran |
| | | | Kim Chi Thi Tran |
| | | | Lan Tina Tran |
| | | | Leo Van Tran |
| | | | Loan Tran |
| | | | Long Tran |
| | | | Long Van Tran |
| | | | Luu Van Tran |
| | | | Ly Tran |
| | | | Ly Van Tran |
| | | | Mary Tran |
| | | | Mien Tran |
| | | | Mike Tran |
| | | | Minh Huu Tran |
| | | | My T Tran |
| | | | Ngoc Tran |
| | | | Nhieu Van Tran |
| | | | Nho Tran |
| | | | Phuc V Tran |
| | | | Phung Tran |
| | | | Quan Van Tran |

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| | | | Quang Quang Tran Quang T Tran Qui V Tran Ran Van Tran Sarah T Tran Sau Tran Son Tran (2) Steven Tuan Tran Te V Tran Than Tran Thanh Tran Theresa Tran Thi Tran Thich Van Tran Thien Tran Thien Van Tran Tri Than Trung Tran Trung Van Tran Tuan Tran Tuan Minh Tran Tuong Van Tran Tuyet Thi Tran Van T Tran Vinh Tran Vinh Q Tran (2) Vui Kim Tran James Tranan Tommy Trapp Trawler Master Alston Trawler Raindear Partnership Trawler Wylie Milam Michael Treadaway Curtis Tregle William Paul Trehoan Gary J Treuil Manuel Trevino E H Buddy Treybig, Jr Donald G Triche Hung Hoa Triea Jackie & Hiep Trieu Jasmine & Ly Trieu Lorie Trieu Tam Trieu Christopher B Trinh Philip P Trinh Triple T Enterprises, Inc |

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| | | | Clark K Trosclair Clark P Trosclair Eugene P Trosclair James J Trosclair Jerome Trosclair Joseph & Patricia Trosclair Lori Trosclair Louis V Trosclair Patricia Trosclair Randy Trosclair Ricky Trosclair Wallace Trosclair, Sr True World Foods, Inc Andre Truong Andre U Truong Be Van Truong Dac Truong Kim & Benjamin Truong Steve Truong Tham T Truong Thanh Minh Truong Timmy Truong George W Trutt, Sr Wanda Trutt Nguyen Q Tuan Huan Tuong Mervin A Turlich Calvin L Turner Tyler James John Tyre Ultima Cruz, Inc Terry R Upton Vi V Do Eddie James Vaisin J G Valentino, Jr James Valentino Christopher A & Nancy H Vallot Hugh P Valure Thien Van Do Jean T Van Gordstnoven Tung Van Huynh Lo Van Ngo Dung Van Nguyen Irving Van Nguyen Nho Van Nguyen Roe Van Nguyen Thanh Van Nguyen |

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| | | | <p> Trung Van Nguyen Vang Van Nguyen Thai Van Pham Tu Van Phan Ba Van Ta Hung Van Tran Miel Van Tran Nhanh Van Tran Phu Van Tran Nhut Van Truong Them Van Truong Hai Van Vo Cang To Van Long Van Nguyen Day Van Than Van Tran Phu Van Vui Van Kathy D & Malcolm Vanacor Bobbie Vanicor Matthew T VanMeter William Earl VanMeter Ba Van-Ta Randy L Varney Raymond S Vath William E Veasel, III Brien J Vegas Percy J Vegas Terry J Vegas Terry J Vegas, Jr Terry Vegas, Jr Peter Vela Aaron Verdin Av Verdin Bradley J Verdin Brent A Verdin Charles A Verdin Charles E Verdin Coy P Verdin Curtis A Verdin, Jr Delphine & Jeffrey Verdin Diana & Joseph Verdin Ebro W Verdin Eric P Verdin Ernest Joseph Verdin, Sr Jeff C Verdin Jessie J Verdin </p> |

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| | | | John P Verdin Joseph A Verdin, Jr Joseph Cleveland Verdin Joseph S Verdin Justilien G Verdin Matthew W Verdin, Sr Michel A Verdin Paul E Verdin Perry Anthony Verdin Rodney Verdin Rodney P Verdin (2) Skylar Verdin Timmie Verdin Toby Verdin Tommy P Verdin Tony J Verdin Vincent Verdin Viness Verdin, Jr Wallace P Verdin Webb A Verdin Wesley D Verdin, Sr Jimmy R Verdine Joseph Thomas Vermeulen Darren L Verret Donald J Verret Ernest J Verret, Sr James A Verret Jean E Verret Jimmy J Verret, Sr Johnny R Verret Joseph L Verret Paul L Verret Ronald P Verret Joseph A Versagg Versaggi Shrimp Corp Brent J Vicknair, Sr Duane P Vicknair Henry Dale Vicknair Ricky A Vicknair Corey Vidrine Kathi & Bill Vidrine Richard Vidrine Vietnamese-American Commerical Fisherman's Union William F Vila Villers Seafood Co, Inc Vincent Piazza Jr & Sons Seafood, Inc Gage T Vincent |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | Gene Vincent Gene B Vincent Robert N Vincent Charles E Vise, III Barry A Vizier Christopher Vizier Cloris J Vizier, III Douglas M Vizier Tommie Vizier, Jr Anh M Vo Chin Van Vo Dam Vo Dan M Vo Dany Vo Day V Vo Duong V Vo Dustin Vo Hanh Xuan Vo Hien Van Vo Hoang The Vo Hong Vo Hung Thanh Vo Huy K Vo Johnny Vo Kent Vo (2) Man Vo Mark Van Vo Minh Hung Vo Minh Ngoc Vo Minh Ray Vo Mong V Vo My Dung Thi Vo My Lynn Vo Nga Vo Nhon Tai Vo Quang Minh Vo Sang M Vo Sanh M Vo Song V Vo TA Vo Tan Thanh Vo Thanh Van Vo Tom Vo Tong Ba Vo Trao Van Vo Truong Vo Van Vo |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Van Van Vo Benjamin S Vodopija James L Vogt Eddie J Voisin Jamie Voison Harold L Von Harten Richard Vongrith Kirk Vossler Hung Vu John H Vu Khanh Vu Khanh H Vu Quan Quac Vu Sac Vu Sean Vu Tam Vu Thiem Ngoc Vu Thuy Vu Tom Vu Tu Viet Vu W H Blanchard, Inc W L & O, Inc Calvin J Wade, Jr Gerard Wade David M Waguespack, Sr Randy P Waguespack, II Vernon Wainwright Jerry Walker Rogers H Walker Dennis Wallace Edward Wallace John Wallace Trevis L Wallace Jack Waller, Jr John M Waller Craig A Wallis Keith Wallis Samuel G Walters Marion M Walton Edward Joseph Wannage Fred Wannage, Jr Frederick W Wannage, Sr Clarence Ward, Jr Clifford Washington John Emile Washington, III Kevin Washington Louis N Washington |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Cecil K Wattigney, Jr Michael Wattigney Brandon A Watts Warren Watts Waymaker, Inc We Three, Inc Bobby Webb Bobby N Webb Donald Webre Dudley A Webre Harold Webster Webster's Inc Don Franklin Weeks Weems Bros Seafood Co Laddie E Weems Barry C Weinstein Rodney Weiskopf Todd Weiskopf Amos J Welch Douglas E Wells Stephen Ray Wells Steven W Wendling Charles W Wescovich Wesley Daryl Wescovich West Point Trawlers, Inc William J Whatley David L Whit Allen White, Sr Charles White Gary Farrell White James Hugh White Perry J White Raymond White Robert White, Sr John Wicher Chad M Wiggins, Sr Ernest Wiggins Harry L Wiggins Matthew Wiggins Gerald Anthony Wilbur Robert Wilcox Alfred Adam Wiles Glen Gilbert Wiles Sonny Joel Wiles, Sr Gene D & Judith Wilkerson William Riley Wilkinson William E Smith Jr, Inc |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Allen Williams, Jr Andrew Williams B Dean Williams Clyde L Williams Dale A Williams Emmett J Williams Herman J Williams, Jr J T Williams John A Williams Johnny Paul Williams Joseph H Williams Kirk Williams Leopold A Williams Mark A Williams Mary Ann C & Ronnie Williams Melissa A Williams Nina Williams Parish Williams Roberto Williams Scott A Williams Steven Williams Thomas D Williams Richard L Williamson, Sr Derek C Willyard Donald R Willyard Alward Wilson Hosea Wilson Joe R Wilson Jonathan Wilson Katherine Wilson Allen Wiltz Melvin Wing Allen Wiseman Clarence J Wiseman, Jr Jean Wiseman Joseph A Wiseman Michael T Wiseman, Jr Michael T Wiseman, Sr (2) Charles Wolfe Woods Fisheries, Inc Curtis Wright Leonard Wright Randy D Wright Douglas Yeamans Neil Yeamans Ronnie Yeamans Peon Yoeuth |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Harold Yopp Milton Thomas Yopp James Young Taing Young Willie Young Patricia D Yow Richard C Yow Anthony V Zanca, Sr Ashley A Zar Carl J Zar John Zar, III Steve Zar Steven Zar Troy A Zar John S Zerinque, Jr Zirlott Trawlers, Inc Curtis Zirlott, Jr Jason D Zirlott Jeremy Zirlott Kimberly & Jeremy Zirlott Milton Zirlott Perry Zirlott Rosa H Zirlott Brian C Zito Nguyen Q Zuan Michael A Zuvich, Jr |
| A-570-002 | 731-TA-130 | Chloropicrin/China | LCP Chemicals & Plastics Niklor Chemical |
| A-570-808 | 731-TA-474 | Chrome-plated Lug Nuts/China | Consolidated International Automotive Key Manufacturing McGard |
| A-583-810 | 731-TA-475 | Chrome-plated Lug Nuts/Taiwan | Consolidated International Automotive Key Manufacturing McGard |
| A-351-809 | 731-TA-532 | Circular Welded Nonalloy Steel Pipe/Brazil | Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|---|--|
| A-580-809 | 731-TA-533 | Circular Welded Nonalloy Steel Pipe/Korea | Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube |
| A-201-805 | 731-TA-534 | Circular Welded Nonalloy Steel Pipe/Mexico | Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube |
| A-583-814 | 731-TA-536 | Circular Welded Nonalloy Steel Pipe/Taiwan | Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube |
| A-307-805 | 731-TA-537 | Circular Welded Nonalloy Steel Pipe/Venezuela | Allied Tube & Conduit American Tube Bull Moose Tube Century Tube CSI Tubular Products Cyclops Laclede Steel LTV Tubular Products |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Maruichi American Sharon Tube USX Western Tube & Conduit Wheatland Tube |
| A-588-838 | 731-TA-739 | Clad Steel Plate/Japan | Lukens Steel |
| A-428-814 | 731-TA-604 | Cold-rolled Carbon Steel Flat Products/Germany | Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| C-428-817 | 701-TA-340 | Cold-rolled Carbon Steel Flat Products/Germany | Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-580-815 | 731-TA-607 | Cold-rolled Carbon Steel Flat Products/Korea | Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| C-580-818 | 701-TA-342 | Cold-rolled Carbon Steel Flat Products/Korea | Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-421-804 | 731-TA-608 | Cold-rolled Carbon Steel Flat Products/Netherlands | Armco Steel Bethlehem Steel California Steel Industries Gulf States Steel Inland Steel Industries LTV Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| C-401-401 | 701-TA-231 | Cold-rolled Carbon Steel Flat Products/Sweden | Bethlehem Steel Chaparral U.S. Steel |
| A-570-850 | 731-TA-757 | Collated Roofing Nails/China | Illinois Tool Works International Staple and Machines Stanley-Bostitch |
| A-583-826 | 731-TA-759 | Collated Roofing Nails/Taiwan | Illinois Tool Works |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|-----------------------------------|---|
| | | | International Staple and Machines Stanley-Bostitch |
| A-122-605 | 731-TA-367 | Color Picture Tubes/Canada | Industrial Union Department, AFL-CIO International Association of Machinists & Aerospace Workers International Brotherhood of Electrical Workers International Union of Electronic, Electrical, Technical, Salaried and Machine Workers Philips Electronic Components Group United Steelworkers of America Zenith Electronics |
| A-588-609 | 731-TA-368 | Color Picture Tubes/Japan | Industrial Union Department, AFL-CIO International Association of Machinists & Aerospace Workers International Brotherhood of Electrical Workers International Union of Electronic, Electrical, Technical, Salaried and Machine Workers Philips Electronic Components Group United Steelworkers of America Zenith Electronics |
| A-580-605 | 731-TA-369 | Color Picture Tubes/Korea | Industrial Union Department, AFL-CIO International Association of Machinists & Aerospace Workers International Brotherhood of Electrical Workers International Union of Electronic, Electrical, Technical, Salaried and Machine Workers Philips Electronic Components Group United Steelworkers of America Zenith Electronics |
| A-559-601 | 731-TA-370 | Color Picture Tubes/Singapore | Industrial Union Department, AFL-CIO International Association of Machinists & Aerospace Workers International Brotherhood of Electrical Workers International Union of Electronic, Electrical, Technical, Salaried and Machine Workers Philips Electronic Components Group United Steelworkers of America Zenith Electronics |
| A-580-008 | 731-TA-134 | Color Television Receivers/Korea | Committee to Preserve American Color Television Independent Radionic Workers of America Industrial Union Department, AFL-CIO International Brotherhood of Electrical Workers International Union of Electrical, Radio and Machine Workers |
| A-583-009 | 731-TA-135 | Color Television Receivers/Taiwan | Committee to Preserve American Color Television Independent Radionic Workers of America Industrial Union Department, AFL-CIO |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | International Brotherhood of Electrical Workers International Union of Electrical, Radio and Machine Workers |
| A-602-803 | 731-TA-612 | Corrosion-resistant Carbon Steel Flat Products/ Australia | Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-122-822 | 731-TA-614 | Corrosion-resistant Carbon Steel Flat Products/ Canada | Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-427-808 | 731-TA-615 | Corrosion-resistant Carbon Steel Flat Products/France | Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| C-427-810 | 701-TA-348 | Corrosion-resistant Carbon Steel Flat Products/France | Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-428-815 | 731-TA-616 | Corrosion-resistant Carbon Steel Flat Products/ Germany | Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| C-428-817 | 701-TA-349 | Corrosion-resistant Carbon Steel Flat Products/ | Armco Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | Germany | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-588-826 | 731-TA-617 | Corrosion-resistant Carbon Steel Flat Products/Japan | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Lukens Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-580-816 | 731-TA-618 | Corrosion-resistant Carbon Steel Flat Products/Korea | Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|--|--|
| | | | WCI Steel Weirton Steel |
| C-580-818 | 701-TA-350 | Corrosion-resistant Carbon Steel Flat Products/Korea | Armco Steel Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries LTV Steel Lukens Steel National Steel Nextech Rouge Steel Co Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America WCI Steel Weirton Steel |
| A-538-802 | 731-TA-514 | Cotton Shop Towels/Bangladesh | Milliken |
| A-570-003 | 731-TA-103 | Cotton Shop Towels/China | Milliken Texel Industries Wikit |
| C-535-001 | 701-TA-202 | Cotton Shop Towels/Pakistan | Milliken |
| C-333-401 | 701-TA-E | Cotton Shop Towels/Peru | No Case at the Commission; Commerce Service List Identifies: Durafab Kleen-Tex Industries Lewis Eckert Robb Milliken Pavis & Harcourt |
| C-351-037 | 104-TA-A21 | Cotton Yarn/Brazil | American Yarn Spinners Association Harriet & Henderson Yarns LaFar Industries |
| A-570-830 | 731-TA-677 | Coumarin/China | Rhone-Poulenc |
| A-570-848 | 731-TA-752 | Crawfish Tail Meat/China | A&S Crawfish Acadiana Fisherman's Co-op Arnaudville Seafood Atchafalaya Crawfish Processors Basin Crawfish Processors Bayou Land Seafood Becnel's Meat & Seafood Bellard's Poultry & Crawfish Bonanza Crawfish Farm C.J.'s Seafood & Purged Crawfish Cajun Seafood Distributors |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Carl's Seafood Catahoula Crawfish Choplin SFD Clearwater Crawfish Crawfish Processors Alliance Harvey's Seafood L.T. West Lawtell Crawfish Processors Louisiana Premium Seafoods Louisiana Seafood Phillips Seafood Prairie Cajun Wholesale Seafood Dist Riceland Crawfish Schexnider Crawfish Seafood International Distributors Sylvester's Processors Teche Valley Seafood |
| A-570-852 | 731-TA-814 | Creatine Monohydrate/China | Pfanstiehl Laboratories |
| A-423-805 | 731-TA-573 | Cut-to-length Carbon Steel Plate/Belgium | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| C-423-806 | 701-TA-319 | Cut-to-length Carbon Steel Plate/Belgium | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-351-817 | 731-TA-574 | Cut-to-length Carbon Steel Plate/Brazil | Bethlehem Steel California Steel Industries Geneva Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| C-351-818 | 701-TA-320 | Cut-to-length Carbon Steel Plate/Brazil | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-122-823 | 731-TA-575 | Cut-to-length Carbon Steel Plate/Canada | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-570-849 | 731-TA-753 | Cut-to-length Carbon Steel Plate/China | Acme Metals, Inc Bethlehem Steel Geneva Steel Gulf States Steel Lukens, Inc National Steel Corp U.S. Steel United Steelworkers of America |
| A-405-802 | 731-TA-576 | Cut-to-length Carbon Steel Plate/Finland | Bethlehem Steel California Steel Industries Geneva Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-427-816 | 731-TA-816 | Cut-to-length Carbon Steel Plate/France | Bethlehem Steel Geneva Steel IPSCO Steel National Steel U.S. Steel United Steelworkers of America |
| C-427-817 | 701-TA-387 | Cut-to-length Carbon Steel Plate/France | Bethlehem Steel Geneva Steel IPSCO Steel National Steel U.S. Steel United Steelworkers of America |
| A-428-816 | 731-TA-578 | Cut-to-length Carbon Steel Plate/Germany | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| C-428-817 | 701-TA-322 | Cut-to-length Carbon Steel Plate/Germany | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|--|---|
| | | | United Steelworkers of America |
| A-533-817 | 731-TA-817 | Cut-to-length Carbon Steel Plate/India | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel U.S. Steel United Steelworkers of America |
| C-533-818 | 701-TA-388 | Cut-to-length Carbon Steel Plate/India | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel U.S. Steel United Steelworkers of America |
| A-560-805 | 731-TA-818 | Cut-to-length Carbon Steel Plate/Indonesia | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel U.S. Steel United Steelworkers of America |
| C-560-806 | 701-TA-389 | Cut-to-length Carbon Steel Plate/Indonesia | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel U.S. Steel United Steelworkers of America |
| A-475-826 | 731-TA-819 | Cut-to-length Carbon Steel Plate/Italy | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel U.S. Steel United Steelworkers of America |
| C-475-827 | 701-TA-390 | Cut-to-length Carbon Steel Plate/Italy | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel U.S. Steel United Steelworkers of America |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|---|--|
| A-588-847 | 731-TA-820 | Cut-to-length Carbon Steel Plate/Japan | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel Tuscaloosa Steel U.S. Steel United Steelworkers of America |
| A-580-836 | 731-TA-821 | Cut-to-length Carbon Steel Plate/Korea | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel U.S. Steel United Steelworkers of America |
| C-580-837 | 701-TA-391 | Cut-to-length Carbon Steel Plate/Korea | Bethlehem Steel Geneva Steel Gulf States Steel IPSCO Steel National Steel Tuscaloosa Steel U.S. Steel United Steelworkers of America |
| A-201-809 | 731-TA-582 | Cut-to-length Carbon Steel Plate/Mexico | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| C-201-810 | 701-TA-325 | Cut-to-length Carbon Steel Plate/Mexico | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | U.S. Steel United Steelworkers of America |
| A-455-802 | 731-TA-583 | Cut-to-length Carbon Steel Plate/Poland | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-485-803 | 731-TA-584 | Cut-to-length Carbon Steel Plate/Romania | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-469-803 | 731-TA-585 | Cut-to-length Carbon Steel Plate/Spain | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| C-469-804 | 701-TA-326 | Cut-to-length Carbon Steel Plate/Spain | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|---|--|
| | | | National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-401-805 | 731-TA-586 | Cut-to-length Carbon Steel Plate/Sweden | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| C-401-804 | 701-TA-327 | Cut-to-length Carbon Steel Plate/Sweden | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-412-814 | 731-TA-587 | Cut-to-length Carbon Steel Plate/United Kingdom | Bethlehem Steel California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| C-412-815 | 701-TA-328 | Cut-to-length Carbon Steel Plate/United Kingdom | Bethlehem Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|--|--|
| | | | California Steel Industries Geneva Steel Gulf States Steel Inland Steel Industries Lukens Steel National Steel Nextech Sharon Steel Theis Precision Steel Thompson Steel U.S. Steel United Steelworkers of America |
| A-588-811 | 731-TA-432 | Drafting Machines/Japan | Vemco |
| C-580-851 | 701-TA-431 | DRAMS and DRAM Modules/Korea | Dominion Semiconductor, LLC/Micron Technology, Inc Infineon Technologies Richmond, LP Micron Technology, Inc |
| A-580-812 | 731-TA-556 | DRAMs of 1 Megabit and Above/Korea | Micron Technology NEC Electronics Texas Instruments |
| A-588-817 | 731-TA-469 | Electroluminescent Flat-panel Displays/Japan | Electro Plasma Magnascreen OIS Optical Imaging Systems Photonics Technology Planar Systems Plasmaco The Cherry Corporation |
| A-484-801 | 731-TA-406 | Electrolytic Manganese Dioxide/Greece | Chemetals Kerr-McGee Rayovac |
| A-588-806 | 731-TA-408 | Electrolytic Manganese Dioxide/Japan | Chemetals Kerr-McGee Rayovac |
| A-122-047 | AA1921-127 | Elemental Sulphur/Canada | Duval |
| A-560-803 | 731-TA-787 | Extruded Rubber Thread/Indonesia | North American Rubber Thread |
| A-557-805 | 731-TA-527 | Extruded Rubber Thread/Malaysia | Globe Manufacturing North American Rubber Thread |
| A-351-820 | 731-TA-641 | Ferrosilicon/Brazil | AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171, and 12646) |
| A-570-819 | 731-TA-567 | Ferrosilicon/China | AIMCOR Alabama Silicon |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-------------------------|---|
| | | | American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171, and 12646) |
| A-843-804 | 731-TA-566 | Ferrosilicon/Kazakhstan | AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171, and 12646) |
| A-821-804 | 731-TA-568 | Ferrosilicon/Russia | AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171, and 12646) |
| A-823-804 | 731-TA-569 | Ferrosilicon/Ukraine | AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171, and 12646) |
| A-307-807 | 731-TA-570 | Ferrosilicon/Venezuela | AIMCOR Alabama Silicon American Alloys Globe Metallurgical Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171, and 12646) |
| C-307-808 | 303-TA-23 | Ferrosilicon/Venezuela | AIMCOR Alabama Silicon American Alloys Globe Metallurgical |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|---|---|
| | | | Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech United Autoworkers of America (Local 523) United Steelworkers of America (Locals 2528, 3081, 5171, and 12646) |
| A-821-807 | 731-TA-702 | Ferrovandium and Nitrided Vanadium/Russia | Shieldalloy Metallurgical |
| A-570-873 | 731-TA-986 | Ferrovandium/China | Bear Metallurgical Corp Shieldalloy Metallurgical Corp |
| A-791-815 | 731-TA-987 | Ferrovandium/South Africa | Bear Metallurgical Co Shieldalloy Metallurgical Corp |
| A-588-029 | AA1921-85 | Fish Netting of Man-made Fiber/Japan | Jovanovich Supply LFSI Trans-Pacific Trading |
| A-570-866 | 731-TA-921 | Folding Gift Boxes/China | Field Container Harvard Folding Box Sterling Packaging Superior Packaging |
| A-570-868 | 731-TA-932 | Folding Metal Tables and Chairs/China | Krueger International McCourt Manufacturing Meco Virco Manufacturing |
| A-533-809 | 731-TA-639 | Forged Stainless Steel Flanges/India | Gerlin Ideal Forging Maass Flange Markovitz Enterprises |
| A-583-821 | 731-TA-640 | Forged Stainless Steel Flanges/Taiwan | Gerlin Ideal Forging Maass Flange Markovitz Enterprises |
| A-570-862 | 731-TA-891 | Foundry Coke/China | ABC Coke Citizens Gas and Coke Utility Erie Coke Sloss Industries Corp Tonawanda Coke United Steelworkers of America |
| A-403-801 | 731-TA-454 | Fresh and Chilled Atlantic Salmon/Norway | Heritage Salmon The Coalition for Fair Atlantic Salmon Trade |
| C-403-802 | 701-TA-302 | Fresh and Chilled Atlantic Salmon/Norway | Heritage Salmon The Coalition for Fair Atlantic Salmon Trade |
| A-337-803 | 731-TA-768 | Fresh Atlantic salmon/Chile | Atlantic Salmon of Maine Cooke Aquaculture US DE Salmon Global Aqua USA Island Aquaculture Maine Coast Nordic Scan Am Fish Farms Treats Island Fisheries |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|-------------------------------|---|
| | | | Trumpet Island Salmon Farm |
| A-301-602 | 731-TA-329 | Fresh Cut Flowers/Colombia | Burdette Coward California Floral Council Floral Trade Council Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Pajaro Valley Greenhouses Topstar Nursery |
| A-331-602 | 731-TA-331 | Fresh Cut Flowers/Ecuador | Burdette Coward California Floral Council Floral Trade Council Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Topstar Nursery |
| A-201-601 | 731-TA-333 | Fresh Cut Flowers/Mexico | Burdette Coward California Floral Council Floral Trade Council Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Topstar Nursery |
| C-421-601 | 701-TA-278 | Fresh Cut Flowers/Netherlands | Burdette Coward California Floral Council Floral Trade Council Florida Flower Association Gold Coast Uanko Nursery Hollandia Wholesale Florist Manatee Fruit Monterey Flower Farms Topstar Nursery |
| A-570-831 | 731-TA-683 | Fresh Garlic/China | A&D Christopher Ranch Belridge Packing Colusa Produce Denice & Filice Packing El Camino Packing The Garlic Company Vessey and Company |
| A-201-820 | 731-TA-747 | Fresh Tomatoes/Mexico | Accomack County Farm Bureau Ad Hoc Group of Florida, California, Georgia, |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | Pennsylvania, South Carolina, Tennessee, and Virginia Tomato Growers Florida Farm Bureau Federation Florida Fruit and Vegetable Association Florida Tomato Exchange Florida Tomato Growers Exchange Gadsden County Tomato Growers Association South Carolina Tomato Association |
| A-351-605 | 731-TA-326 | Frozen Concentrated Orange Juice/Brazil | Alcoma Packing B&W Canning Berry Citrus Products Caulkins Indiantown Citrus Citrus Belle Citrus World Florida Citrus Mutual |
| A-570-835 | 731-TA-703 | Furfuryl Alcohol/China | QO Chemicals |
| A-549-812 | 731-TA-705 | Furfuryl Alcohol/Thailand | QO Chemicals |
| A-588-840 | 731-TA-748 | Gas Turbo-compressor Systems/Japan | Demag Delaval Dresser-Rand United Steelworkers of America |
| A-570-836 | 731-TA-718 | Glycine/China | Chattem Hampshire Chemical |
| A-475-811 | 731-TA-659 | Grain-oriented Silicon Electrical Steel/Italy | Allegheny Ludlum Armco Steel Butler Armco Independent Union United Steelworkers of America Zanesville Armco Independent Union |
| C-475-812 | 701-TA-355 | Grain-oriented Silicon Electrical Steel/Italy | Allegheny Ludlum Armco Steel Butler Armco Independent Union United Steelworkers of America Zanesville Armco Independent Union |
| A-588-831 | 731-TA-660 | Grain-oriented Silicon Electrical Steel/Japan | Allegheny Ludlum Armco Steel United Steelworkers of America |
| A-475-703 | 731-TA-385 | Granular Polytetrafluoroethylene/Italy | E.I. du Pont de Nemours ICI Americas |
| A-588-707 | 731-TA-386 | Granular Polytetrafluoroethylene/Japan | E.I. du Pont de Nemours ICI Americas |
| A-588-815 | 731-TA-461 | Gray Portland Cement and Clinker/Japan | Calaveras Cement Hanson Permanente Cement Independent Workers of North America (Locals 49, 52, 89, 89, 192, and 471) International Union of Operating Engineers (Local 12) National Cement Co, Inc National Cement Company of California Southdown |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| A-201-802 | 731-TA-451 | Gray Portland Cement and Clinker/Mexico | Alamo Cement Blue Circle BoxCrow Cement Calaveras Cement Capitol Aggregates Centex Cement Florida Crushed Stone Gifford-Hill Hanson Permanente Cement Ideal Basic Industries Independent Workers of North America (Locals 49, 52, 89, 192, and 471) International Union of Operating Engineers (Local 12) National Cement Company of Alabama National Cement Company of California Phoenix Cement Riverside Cement Southdown Tarmac America Texas Industries |
| A-307-803 | 731-TA-519 | Gray Portland Cement and Clinker/Venezuela | Florida Crushed Stone Southdown Tarmac America |
| C-307-804 | 303-TA-21 | Gray Portland Cement and Clinker/Venezuela | Florida Crushed Stone Southdown Tarmac America |
| A-570-101 | 731-TA-101 | Greige Polyester Cotton Printcloth/China | Alice Manufacturing Clinton Mills Dan River Greenwood Mills Hamrick Mills M. Lowenstein Mayfair Mills Mount Vernon Mills |
| A-570-891 | 731-TA-1059 | Hand Trucks and Certain Parts Thereof/China | B&P Manufacturing Gleason Industrial Products, Inc Harper Trucks, Inc Magline, Inc Precision Products, Inc Wesco Industrial Products, Inc |
| A-122-847 | 731-TA-1019B | Hard Red Spring Wheat/Canada | North Dakota Wheat Commission |
| C-122-848 | 701-TA-430B | Hard Red Spring Wheat/Canada | North Dakota Wheat Commission |
| C-351-504 | 701-TA-249 | Heavy Iron Construction Castings/Brazil | Alhambra Foundry Allegheny Foundry Bingham & Taylor Campbell Foundry Charlotte Pipe & Foundry |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|---------------------------------------|--|
| | | | Deeter Foundry East Jordan Foundry Le Baron Foundry Municipal Castings Neenah Foundry Opelika Foundry Pinkerton Foundry Tyler Pipe U.S. Foundry & Manufacturing Vulcan Foundry |
| A-570-822 | 731-TA-624 | Helical Spring Lock Washers/China | Illinois Tool Works |
| A-583-820 | 731-TA-625 | Helical Spring Lock Washers/Taiwan | Illinois Tool Works |
| A-588-005 | 731-TA-48 | High Power Microwave Amplifiers/Japan | Aydin MCL |
| A-357-812 | 731-TA-892 | Honey/Argentina | A.H. Meyer & Sons Adee Honey Farms Althoff Apiaries American Beekeeping Federation American Honey Producers Association Anderson Apiaries Arroyo Apiaries Artesian Honey Producers B. Weaver Apiaries Bailey Enterprises Barkman Honey Basler Honey Apiary Beals Honey Bears Paw Apiaries Beaverhead Honey Bee Biz Bee Haven Honey Belliston Brothers Apiaries Big Sky Honey Bill Rhodes Honey Richard E Blake Curt Bronnenbery Brown's Honey Farms Brumley's Bees Buhmann Apiaries Carys Honey Farms Chaparrel Honey Charles Apiaries Mitchell Charles Collins Honey Conor Apiaries Coy's Honey Farm Dave Nelson Apiaries |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Delta Bee Eisele's Pollonation & Honey Ellingsoa's Elliott Curtis & Sons Charles L Emmons, Sr Gause Honey Gene Brandi Apiaries Griffith Honey Haff Apiaries Hamilton Bee Farms Hamilton Honey Happie Bee Harvest Honey Harvey's Honey Hiatt Honey Hoffman Honey Hollman Apiaries Honey House Honeybee Apiaries Gary M Honl Rand William Honl and Sydney Jo Honl James R. & Joan Smith Trust Jaynes Bee Products Johnston Honey Farms Larry Johnston Ke-An Honey Kent Honeybees Lake-Indianhead Honey Farms Lamb's Honey Farm Las Flores Apiaries Mackrill Honey Farms & Sales Raymond Marquette Mason & Sons Honey McCoy's Sunny South Apiaries Merrimack Valley Apiaries & Evergreen Honey Met 2 Honey Farm Missouri River Honey Mitchell Brothers Honey Monda Honey Farm Montana Dakota Honey Northern Bloom Honey Noye's Apiaries Oakes Honey Oakley Honey Farms Old Mill Apiaries Opp Honey Oro Dulce |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Peterson's "Naturally Sweet" Honey Potoczak Bee Farms Price Apiaries Pure Sweet Honey Farms Robertson Pollination Service Robson Honey William Robson Rosedale Apiaries Ryan Apiaries Schmidt Honey Farms Simpson Apiaries Sioux Honey Association Smoot Honey Solby Honey Stahlman Apiaries Steve E. Parks Apiaries Stroope Bee & Honey T&D Honey Bee Talbott's Honey Terry Apiaries Thompson Apiaries Triple A Farm Tropical Blossom Honey Tubbs Apiaries Venable Wholesale Walter L. Wilson Buzz 76 Apiaries Wiebersiek Honey Farms Wilmer Farms Brent J Woodworth Wooten's Golden Queens Yaddof Apiaries |
| C-357-813 | 701-TA-402 | Honey/Argentina | A.H. Meyer & Sons Adee Honey Farms Althoff Apiaries American Beekeeping Federation American Honey Producers Association Anderson Apiaries Arroyo Apiaries Artesian Honey Producers B. Weaver Apiaries Bailey Enterprises Barkman Honey Basler Honey Apiary Beals Honey Bears Paw Apiaries Beaverhead Honey Bee Biz |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Bee Haven Honey Belliston Brothers Apiaries Big Sky Honey Bill Rhodes Honey Richard E Blake Curt Bronnenbery Brown's Honey Farms Brumley's Bees Buhmann Apiaries Carys Honey Farms Chaparrel Honey Charles Apiaries Mitchell Charles Collins Honey Conor Apiaries Coy's Honey Farm Dave Nelson Apiaries Delta Bee Eisele's Pollonation & Honey Ellingsoa's Elliott Curtis & Sons Charles L Emmons, Sr Gause Honey Gene Brandi Apiaries Griffith Honey Haff Apiaries Hamilton Bee Farms Hamilton Honey Happie Bee Harvest Honey Harvey's Honey Hiatt Honey Hoffman Honey Hollman Apiaries Honey House Honeybee Apiaries Gary M Honl Rand William Honl and Sydney Jo Honl James R. & Joan Smith Trust Jaynes Bee Products Johnston Honey Farms Larry Johnston Ke-An Honey Kent Honeybees Lake-Indianhead Honey Farms Lamb's Honey Farm Las Flores Apiaries |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Mackrill Honey Farms & Sales Raymond Marquette Mason & Sons Honey McCoy's Sunny South Apiaries Merrimack Valley Apiaries & Evergreen Honey Met 2 Honey Farm Missouri River Honey Mitchell Brothers Honey Monda Honey Farm Montana Dakota Honey Northern Bloom Honey Noye's Apiaries Oakes Honey Oakley Honey Farms Old Mill Apiaries Opp Honey Oro Dulce Peterson's "Naturally Sweet" Honey Potoczak Bee Farms Price Apiaries Pure Sweet Honey Farms Robertson Pollination Service Robson Honey William Robson Rosedale Apiaries Ryan Apiaries Schmidt Honey Farms Simpson Apiaries Sioux Honey Association Smoot Honey Solby Honey Stahlman Apiaries Steve E. Parks Apiaries Stroope Bee & Honey T&D Honey Bee Talbot's Honey Terry Apiaries Thompson Apiaries Triple A Farm Tropical Blossom Honey Tubbs Apiaries Venable Wholesale Walter L. Wilson Buzz 76 Apiaries Wiebersiek Honey Farms Wilmer Farms Brent J Woodworth Wooten's Golden Queens |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Yaddof Apiaries |
| A-570-863 | 731-TA-893 | Honey/China | A.H. Meyer & Sons Adee Honey Farms Althoff Apiaries American Beekeeping Federation American Honey Producers Association Anderson Apiaries Arroyo Apiaries Artesian Honey Producers B. Weaver Apiaries Bailey Enterprises Barkman Honey Basler Honey Apiary Beals Honey Bears Paw Apiaries Beaverhead Honey Bee Biz Bee Haven Honey Belliston Brothers Apiaries Big Sky Honey Bill Rhodes Honey Richard E Blake Curt Bronnenbery Brown's Honey Farms Brumley's Bees Buhmann Apiaries Carys Honey Farms Chaparrel Honey Charles Apiaries Mitchell Charles Collins Honey Conor Apiaries Coy's Honey Farm Dave Nelson Apiaries Delta Bee Eisele's Pollonation & Honey Ellingsoa's Elliott Curtis & Sons Charles L Emmons, Sr Gause Honey Gene Brandi Apiaries Griffith Honey Haff Apiaries Hamilton Bee Farms Hamilton Honey Happie Bee Harvest Honey |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Harvey's Honey Hiatt Honey Hoffman Honey Hollman Apiaries Honey House Honeybee Apiaries Gary M Honl Rand William Honl and Sydney Jo Honl James R. & Joan Smith Trust Jaynes Bee Products Johnston Honey Farms Larry Johnston Ke-An Honey Kent Honeybees Lake-Indianhead Honey Farms Lamb's Honey Farm Las Flores Apiaries Mackrill Honey Farms & Sales Raymond Marquette Mason & Sons Honey McCoy's Sunny South Apiaries Merrimack Valley Apiaries & Evergreen Honey Met 2 Honey Farm Missouri River Honey Mitchell Brothers Honey Monda Honey Farm Montana Dakota Honey Northern Bloom Honey Noye's Apiaries Oakes Honey Oakley Honey Farms Old Mill Apiaries Opp Honey Oro Dulce Peterson's "Naturally Sweet" Honey Potoczak Bee Farms Price Apiaries Pure Sweet Honey Farms Robertson Pollination Service Robson Honey William Robson Rosedale Apiaries Ryan Apiaries Schmidt Honey Farms Simpson Apiaries Sioux Honey Association Smoot Honey |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Solby Honey Stahlman Apiaries Steve E. Parks Apiaries Stroope Bee & Honey T&D Honey Bee Talbott's Honey Terry Apiaries Thompson Apiaries Triple A Farm Tropical Blossom Honey Tubbs Apiaries Venable Wholesale Walter L. Wilson Buzz 76 Apiaries Wiebersiek Honey Farms Wilmer Farms Brent J Woodworth Wooten's Golden Queens Yaddof Apiaries |
| A-351-828 | 731-TA-806 | Hot-rolled Carbon Steel Flat Products/Brazil | Acme Steel Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Weirton Steel Wheeling-Pittsburgh Steel Corp |
| C-351-829 | 701-TA-384 | Hot-rolled Carbon Steel Flat Products/Brazil | Acme Steel Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-588-846 | 731-TA-807 | Hot-rolled Carbon Steel Flat Products/Japan | Acme Steel Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-821-809 | 731-TA-808 | Hot-rolled Carbon Steel Flat Products/Russia | Acme Steel Bethlehem Steel California Steel Industries Gallatin Steel Geneva Steel Gulf States Steel Independent Steelworkers IPSCO Ispat/Inland LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-427-804 | 731-TA-553 | Hot-rolled Lead and Bismuth Carbon Steel Products/ | Bethlehem Steel |

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|-------------------------|---------------------------|--|--|
| | | France | Inland Steel Industries USS/Kobe Steel |
| C-427-805 | 701-TA-315 | Hot-rolled Lead and Bismuth Carbon Steel Products/ France | Bethlehem Steel Inland Steel Industries USS/Kobe Steel |
| A-357-814 | 731-TA-898 | Hot-rolled Steel Products/Argentina | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Weirton Steel Wheeling-Pittsburgh Steel Corp |
| C-357-815 | 701-TA-404 | Hot-rolled Steel Products/Argentina | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-570-865 | 731-TA-899 | Hot-rolled Steel Products/China | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-------------------------------------|--|
| A-533-820 | 731-TA-900 | Hot-rolled Steel Products/India | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| C-533-821 | 701-TA-405 | Hot-rolled Steel Products/India | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-560-812 | 731-TA-901 | Hot-rolled Steel Products/Indonesia | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| C-560-813 | 701-TA-406 | Hot-rolled Steel Products/Indonesia | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|---------------------------------------|--|
| | | | National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-834-806 | 731-TA-902 | Hot-rolled Steel Products/Kazakhstan | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-421-807 | 731-TA-903 | Hot-rolled Steel Products/Netherlands | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-485-806 | 731-TA-904 | Hot-rolled Steel Products/Romania | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-791-809 | 731-TA-905 | Hot-rolled Steel Products/South Africa | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Weirton Steel Wheeling-Pittsburgh Steel Corp |
| C-791-810 | 701-TA-407 | Hot-rolled Steel Products/South Africa | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-583-835 | 731-TA-906 | Hot-rolled Steel Products/Taiwan | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-549-817 | 731-TA-907 | Hot-rolled Steel Products/Thailand | Bethlehem Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|---|--|
| | | | Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| C-549-818 | 701-TA-408 | Hot-rolled Steel Products/Thailand | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-823-811 | 731-TA-908 | Hot-rolled Steel Products/Ukraine | Bethlehem Steel Gallatin Steel Independent Steelworkers IPSCO LTV Steel National Steel Nucor Rouge Steel Co Steel Dynamics U.S. Steel United Steelworkers of America WCI Steel Inc Weirton Steel Wheeling-Pittsburgh Steel Corp |
| A-337-806 | 731-TA-948 | Individually Quick Frozen Red Raspberries/Chile | A&A Berry Farms Bahler Farms Bear Creek Farms David Burns Columbia Farms Columbia Fruit |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | George Culp Dobbins Berry Farm Enfield Firestone Packing George Hoffman Farms Heckel Farms Wendell Kreder Curt Maberry Maberry Packing Mike & Jean's Nguyen Berry Farms Nick's Acres North Fork Parson Berry Farm Pickin 'N' Pluckin Postage Stamp Farm Rader RainSweet Scenic Fruit Silverstar Farms Tim Straub Theony Farms Townsend Tsugawa Farms Udike Berry Farms Van Laeken Farms |
| A-428-802 | 731-TA-419 | Industrial Belts/Germany | The Gates Rubber Company The Goodyear Tire and Rubber Company |
| A-475-802 | 731-TA-413 | Industrial Belts/Italy | The Gates Rubber Company The Goodyear Tire and Rubber Company |
| A-588-807 | 731-TA-414 | Industrial Belts/Japan | The Gates Rubber Company The Goodyear Tire and Rubber Company |
| A-559-802 | 731-TA-415 | Industrial Belts/Singapore | The Gates Rubber Company The Goodyear Tire and Rubber Company |
| A-351-804 | 731-TA-439 | Industrial Nitrocellulose/Brazil | Hercules |
| A-570-802 | 731-TA-441 | Industrial Nitrocellulose/China | Hercules |
| A-427-009 | 731-TA-96 | Industrial Nitrocellulose/France | Hercules |
| A-428-803 | 731-TA-444 | Industrial Nitrocellulose/Germany | Hercules |
| A-588-812 | 731-TA-440 | Industrial Nitrocellulose/Japan | Hercules |
| A-580-805 | 731-TA-442 | Industrial Nitrocellulose/Korea | Hercules |
| A-412-803 | 731-TA-443 | Industrial Nitrocellulose/United Kingdom | Hercules |
| A-479-801 | 731-TA-445 | Industrial Nitrocellulose/Yugoslavia | Hercules |
| A-423-602 | 731-TA-365 | Industrial Phosphoric Acid/Belgium | Albright & Wilson FMC Hydrite Chemical Monsanto Stauffer Chemical |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| A-508-604 | 731-TA-366 | Industrial Phosphoric Acid/Israel | Albright & Wilson FMC Hydrite Chemical Monsanto Stauffer Chemical |
| C-508-605 | 701-TA-286 | Industrial Phosphoric Acid/Israel | Albright & Wilson FMC Hydrite Chemical Monsanto Stauffer Chemical |
| A-588-703 | 731-TA-377 | Internal Combustion Industrial Forklift Trucks/Japan | Ad-Hoc Group of Workers from Hyster's Berea, Kentucky and Sulligent, Alabama Facilities Allied Industrial Workers of America Hyster Independent Lift Truck Builders Union International Association of Machinists & Aerospace Workers United Shop & Service Employees |
| A-351-503 | 731-TA-262 | Iron Construction Castings/Brazil | Alhambra Foundry Allegheny Foundry Bingham & Taylor Campbell Foundry Charlotte Pipe & Foundry Deeter Foundry East Jordan Foundry Le Baron Foundry Municipal Castings Neenah Foundry Opelika Foundry Pinkerton Foundry Tyler Pipe U.S. Foundry & Manufacturing Vulcan Foundry |
| A-122-503 | 731-TA-263 | Iron Construction Castings/Canada | Alhambra Foundry Allegheny Foundry Bingham & Taylor Campbell Foundry Charlotte Pipe & Foundry Deeter Foundry East Jordan Foundry Le Baron Foundry Municipal Castings Neenah Foundry Opelika Foundry Pinkerton Foundry Tyler Pipe U.S. Foundry & Manufacturing |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | Vulcan Foundry |
| A-570-502 | 731-TA-265 | Iron Construction Castings/China | Alhambra Foundry Allegheny Foundry Bingham & Taylor Campbell Foundry Charlotte Pipe & Foundry Deeter Foundry East Jordan Foundry Le Baron Foundry Municipal Castings Neenah Foundry Opelika Foundry Pinkerton Foundry Tyler Pipe U.S. Foundry & Manufacturing Vulcan Foundry |
| C-533-063 | 303-TA-13 | Iron Metal Castings/India | Campbell Foundry Le Baron Foundry Municipal Castings Neenah Foundry Pinkerton Foundry U.S. Foundry & Manufacturing Vulcan Foundry |
| A-570-888 | 731-TA-1047 | Ironing Tables and Certain Parts Thereof/China | Home Products International, Inc |
| A-428-821 | 731-TA-736 | Large Newspaper Printing Presses/Germany | Rockwell Graphics Systems |
| A-588-837 | 731-TA-737 | Large Newspaper Printing Presses/Japan | Rockwell Graphics Systems |
| A-588-850 | 731-TA-847 | Large-diameter Carbon Steel Seamless Pipe/Japan | North Star Steel Timken U.S. Steel United Steelworkers of America USS/Kobe |
| A-201-827 | 731-TA-848 | Large-diameter Carbon Steel Seamless Pipe/Mexico | North Star Steel Timken U.S. Steel United Steelworkers of America USS/Kobe |
| A-570-877 | 731-TA-1010 | Lawn & Garden Steel Fence Posts/China | Steel City Corp |
| A-357-802 | 731-TA-409 | Light-walled Rectangular Tube/Argentina | Bull Moose Tube Hannibal Industries Harris Tube Maruichi American Searing Industries Southwestern Pipe Western Tube & Conduit |
| A-583-803 | 731-TA-410 | Light-walled Rectangular Tube/Taiwan | Bull Moose Tube Hannibal Industries Harris Tube |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Maruichi American Searing Industries Southwestern Pipe Western Tube & Conduit |
| C-122-404 | 701-TA-224 | Live Swine/Canada | National Pork Producers Council Wilson Foods |
| A-427-818 | 731-TA-909 | Low Enriched Uranium/France | United States Enrichment Corp USEC Inc |
| C-427-819 | 701-TA-409 | Low Enriched Uranium/France | United States Enrichment Corp USEC Inc |
| C-428-829 | 701-TA-410 | Low Enriched Uranium/Germany | United States Enrichment Corp USEC Inc |
| C-421-809 | 701-TA-411 | Low Enriched Uranium/Netherlands | United States Enrichment Corp USEC Inc |
| C-412-821 | 701-TA-412 | Low Enriched Uranium/United Kingdom | United States Enrichment Corp USEC Inc |
| A-351-505 | 731-TA-278 | Malleable Cast Iron Pipe Fittings/Brazil | Grinnell Stanley G. Flagg Stockham Valves & Fittings U-Brand Ward Manufacturing |
| A-588-605 | 731-TA-347 | Malleable Cast Iron Pipe Fittings/Japan | Grinnell Stanley G. Flagg Stockham Valves & Fittings U-Brand Ward Manufacturing |
| A-580-507 | 731-TA-279 | Malleable Cast Iron Pipe Fittings/Korea | Grinnell Stanley G. Flagg Stockham Valves & Fittings U-Brand Ward Manufacturing |
| A-583-507 | 731-TA-280 | Malleable Cast Iron Pipe Fittings/Taiwan | Grinnell Stanley G. Flagg Stockham Valves & Fittings U-Brand Ward Manufacturing |
| A-549-601 | 731-TA-348 | Malleable Cast Iron Pipe Fittings/Thailand | Grinnell Stanley G. Flagg Stockham Valves & Fittings U-Brand Ward Manufacturing |
| A-570-881 | 731-TA-1021 | Malleable Iron Pipe Fittings/China | Anvil International, Inc Buck Co, Inc Ward Manufacturing, Inc |
| A-570-840 | 731-TA-724 | Manganese Metal/China | Elkem Metals Kerr-McGee |
| A-588-810 | 731-TA-429 | Mechanical Transfer Presses/Japan | Allied Products |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | United Autoworkers of America United Steelworkers of America |
| A-570-844 | 731-TA-741 | Melamine Institutional Dinnerware/China | Carlisle Food Service Products Lexington United Plastics Manufacturing |
| A-560-801 | 731-TA-742 | Melamine Institutional Dinnerware/Indonesia | Carlisle Food Service Products Lexington United Plastics Manufacturing |
| A-583-825 | 731-TA-743 | Melamine Institutional Dinnerware/Taiwan | Carlisle Food Service Products Lexington United Plastics Manufacturing |
| A-588-056 | AA1921-162 | Melamine/Japan | Melamine Chemical |
| A-570-501 | 731-TA-244 | Natural Bristle Paint Brushes/China | Baltimore Brush Bestt Liebco Elder & Jenks EZ Paint H&G Industries Joseph Lieberman & Sons Purdy Rubberset Thomas Paint Applicators Wooster Brush |
| A-588-706 | 731-TA-384 | Nitrile Rubber/Japan | Uniroyal Chemical |
| A-570-855 | 731-TA-841 | Non-frozen Apple Juice Concentrate/China | Coloma Frozen Foods Green Valley Apples of California Knouse Foods Coop Mason County Fruit Packers Coop Tree Top |
| A-570-875 | 731-TA-990 | Non-malleable Cast Iron Pipe Fittings/China | Anvil International, Inc Buck Co, Inc Frazier & Frazier Industries Ward Manufacturing, Inc |
| A-357-810 | 731-TA-711 | Oil Country Tubular Goods/Argentina | IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel U.S. Steel USS/Kobe |
| A-122-506 | 731-TA-276 | Oil Country Tubular Goods/Canada | CF&I Steel Copperweld Tubing Cyclops KPC Lone Star Steel LTV Steel Maverick Tube Quanex U.S. Steel |
| A-475-816 | 731-TA-713 | Oil Country Tubular Goods/Italy | Bellville Tube |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|----------------------------------|--|
| | | | IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel U.S. Steel USS/Kobe |
| C-475-817 | 701-TA-364 | Oil Country Tubular Goods/Italy | IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel U.S. Steel USS/Kobe |
| A-588-835 | 731-TA-714 | Oil Country Tubular Goods/Japan | IPSCO Koppel Steel Lone Star Steel Co Maverick Tube Newport Steel North Star Steel U.S. Steel |
| A-580-825 | 731-TA-715 | Oil Country Tubular Goods/Korea | Bellville Tube IPSCO Koppel Steel Lone Star Steel Maverick Tube Newport Steel North Star Steel U.S. Steel USS/Kobe |
| A-201-817 | 731-TA-716 | Oil Country Tubular Goods/Mexico | IPSCO Koppel Steel Maverick Tube Newport Steel North Star Steel U.S. Steel USS/Kobe |
| A-583-505 | 731-TA-277 | Oil Country Tubular Goods/Taiwan | CF&I Steel Copperweld Tubing Cyclops KPC Lone Star Steel LTV Steel Maverick Tube Quanex |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-------------------|---|
| | | | U.S. Steel |
| A-570-826 | 731-TA-663 | Paper Clips/China | ACCO USA Labelon/Noesting TRICO Manufacturing |
| A-475-818 | 731-TA-734 | Pasta/Italy | A. Zerega's Sons American Italian Pasta Borden D. Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee Gooch Foods Hershey Foods Pasta USA Philadelphia Macaroni S.T. Specialty Foods |
| C-475-819 | 701-TA-365 | Pasta/Italy | A. Zerega's Sons American Italian Pasta Borden D. Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee Gooch Foods Hershey Foods Pasta USA Philadelphia Macaroni S.T. Specialty Foods |
| A-489-805 | 731-TA-735 | Pasta/Turkey | A. Zerega's Sons American Italian Pasta Borden D. Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee Gooch Foods Hershey Foods Pasta USA Philadelphia Macaroni S.T. Specialty Foods |
| C-489-806 | 701-TA-366 | Pasta/Turkey | A. Zerega's Sons American Italian Pasta Borden D. Merlino & Sons Dakota Growers Pasta Foulds Gilster-Mary Lee |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
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| | | | Gooch Foods Hershey Foods Pasta USA Philadelphia Macaroni S.T. Specialty Foods |
| A-570-847 | 731-TA-749 | Persulfates/China | FMC |
| A-570-504 | 731-TA-282 | Petroleum Wax Candles/China | Candle Artisans, Inc Candle-Lite Cathedral Candle Colonial Candle of Cape Cod General Wax & Candle Lenox Candles Lumi-Lite Candle Meuch-Kreuzer Candle National Candle Association The A.I. Root Company Will & Baumer WNS |
| A-588-046 | AA1921-129 | Polychloroprene Rubber/Japan | E.I. du Pont de Nemours |
| A-580-839 | 731-TA-825 | Polyester Staple Fiber/Korea | Arteva Specialties S.a.r.l. E.I. du Pont de Nemours Intercontinental Polymers Wellman |
| A-583-833 | 731-TA-826 | Polyester Staple Fiber/Taiwan | Arteva Specialties S.a.r.l. Intercontinental Polymers Wellman |
| A-570-886 | 731-TA-1043 | Polyethylene Retail Carrier Bags/China | Aargus Plastics, Inc Advance Polybag (Nevada), Inc Alpha Industries, Inc Alpine Plastics, Inc Ampac Packaging, LLC API Enterprises, Inc Command Packaging Continental Poly Bags, Inc Durabag Co, Inc Europackaging, LLC Genpak, LLC (formerly Continental Superbag LLC) Genpak, LLC (formerly Strout Plastics) Hilex Poly Co, LLC Inteplast Group, Ltd PCL Packaging, Inc Poly-Pak Industries, Inc Roplast Industries, Inc Superbag Corp Unistar Plastics, LLC Vanguard Plastics, Inc VS Plastics LLC |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|---|---|
| A-557-813 | 731-TA-1044 | Polyethylene Retail Carrier Bags/Malaysia | Aargus Plastics, Inc Advance Polybag (Nevada), Inc Alpha Industries, Inc Alpine Plastics, Inc Ampac Packaging, LLC API Enterprises, Inc Command Packaging Continental Poly Bags, Inc Durabag Co, Inc Europackaging, LLC Genpak, LLC (formerly Continental Superbag LLC) Genpak, LLC (formerly Strout Plastics) Hilex Poly Co, LLC Inteplast Group, Ltd PCL Packaging, Inc Poly-Pak Industries, Inc Roplast Industries, Inc Superbag Corp Unistar Plastics, LLC Vanguard Plastics, Inc VS Plastics LLC |
| A-549-821 | 731-TA-1045 | Polyethylene Retail Carrier Bags/Thailand | Aargus Plastics, Inc Advance Polybag (Nevada), Inc Alpha Industries, Inc Alpine Plastics, Inc Ampac Packaging, LLC API Enterprises, Inc Command Packaging Continental Poly Bags, Inc Durabag Co, Inc Europackaging, LLC Genpak, LLC (formerly Continental Superbag LLC) Genpak, LLC (formerly Strout Plastics) Hilex Poly Co, LLC Inteplast Group, Ltd PCL Packaging, Inc Poly-Pak Industries, Inc Roplast Industries, Inc Superbag Corp Unistar Plastics, LLC Vanguard Plastics, Inc VS Plastics LLC |
| A-533-824 | 731-TA-933 | Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/India | DuPont Teijin Films Mitsubishi Polyester Film, LLC SKC America, Inc Toray Plastics (America) |
| C-533-825 | 731-TA-415 | Polyethylene Terephthalate Film, Sheet and Strip | DuPont Teijin Films |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|---|---|
| | | (PET Film)/India | Mitsubishi Polyester Film, LLC SKC America, Inc Toray Plastics (America) |
| A-580-807 | 731-TA-459 | Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/Korea | E.I. du Pont de Nemours Hoechst Celanese ICI Americas |
| A-583-837 | 731-TA-934 | Polyethylene Terephthalate Film, Sheet and Strip (PET Film)/Taiwan | DuPont Teijin Films Mitsubishi Polyester Film, LLC SKC America, Inc Toray Plastics (America) |
| A-570-842 | 731-TA-726 | Polyvinyl Alcohol/China | Air Products and Chemicals |
| A-570-879 | 731-TA-1014 | Polyvinyl Alcohol/China | Celenex Ltd E.I. du Pont de Nemours & Co |
| A-588-836 | 731-TA-727 | Polyvinyl Alcohol/Japan | Air Products and Chemicals |
| A-588-861 | 731-TA-1016 | Polyvinyl Alcohol/Japan | Celanese Ltd E.I. du Pont de Nemours & Co |
| A-580-850 | 731-TA-1017 | Polyvinyl Alcohol/Korea | Celanese Ltd E.I. du Pont de Nemours & Co |
| A-583-824 | 731-TA-729 | Polyvinyl Alcohol/Taiwan | Air Products and Chemicals |
| A-570-506 | 731-TA-298 | Porcelain-on-steel Cooking Ware/China | General Housewares |
| A-201-504 | 731-TA-297 | Porcelain-on-steel Cooking Ware/Mexico | General Housewares |
| C-201-505 | 701-TA-265 | Porcelain-on-steel Cooking Ware/Mexico | General Housewares |
| A-583-508 | 731-TA-299 | Porcelain-on-steel Cooking Ware/Taiwan | General Housewares |
| A-570-001 | 731-TA-125 | Potassium Permanganate/China | Carus Chemical |
| A-469-007 | 731-TA-126 | Potassium Permanganate/Spain | Carus Chemical |
| A-337-804 | 731-TA-776 | Preserved Mushrooms/Chile | L.K. Bowman Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms Sunny Dell Foods United Canning |
| A-570-851 | 731-TA-777 | Preserved Mushrooms/China | L.K. Bowman Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms Sunny Dell Foods United Canning |
| A-533-813 | 731-TA-778 | Preserved Mushrooms/India | L.K. Bowman Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|---|---|
| | | | Sunny Dell Foods United Canning |
| A-560-802 | 731-TA-779 | Preserved Mushrooms/Indonesia | L.K. Bowman Modern Mushroom Farms Monterey Mushrooms Mount Laurel Canning Mushroom Canning Southwood Farms Sunny Dell Foods United Canning |
| A-475-059 | AA1921-167 | Pressure-sensitive Plastic Tape/Italy | Minnesota Mining & Manufacturing |
| A-351-837 | 731-TA-1024 | Prestressed Concrete Steel Wire Strand/Brazil | American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia, LLC Strand Tech Martin, Inc Sumiden Wire Products Corp |
| A-533-828 | 731-TA-1025 | Prestressed Concrete Steel Wire Strand/India | American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia, LLC Strand Tech Martin, Inc Sumiden Wire Products Corp |
| C-533-829 | 701-TA-432 | Prestressed Concrete Steel Wire Strand/India | American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia, LLC Strand Tech Martin, Inc Sumiden Wire Products Corp |
| A-588-068 | AA1921-188 | Prestressed Concrete Steel Wire Strand/Japan | American Spring Wire Armco Steel Bethlehem Steel CF&I Steel Florida Wire & Cable |
| A-580-852 | 731-TA-1026 | Prestressed Concrete Steel Wire Strand/Korea | American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia, LLC Strand Tech Martin, Inc Sumiden Wire Products Corp |
| A-201-831 | 731-TA-1027 | Prestressed Concrete Steel Wire Strand/Mexico | American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia, LLC Strand Tech Martin, Inc Sumiden Wire Products Corp |
| A-549-820 | 731-TA-1028 | Prestressed Concrete Steel Wire Strand/Thailand | American Spring Wire Corp Insteel Wire Products Co Sivaco Georgia, LLC Strand Tech Martin, Inc Sumiden Wire Products Corp |
| A-588-823 | 731-TA-571 | Professional Electric Cutting Tools/Japan | Black & Decker |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|------------------------------------|--|
| A-570-864 | 731-TA-895 | Pure Magnesium (Granular)/China | Concerned Employees of Northwest Alloys Magnesium Corporation of America United Steelworkers of America United Steelworkers of America (Local 8319) |
| A-122-814 | 731-TA-528 | Pure Magnesium/Canada | Magnesium Corporation of America |
| C-122-815 | 701-TA-309-A | Alloy Magnesium/Canada | Magnesium Corporation of America |
| C-122-815 | 701-TA-309-B | Pure Magnesium/Canada | Magnesium Corporation of America |
| A-570-832 | 731-TA-696 | Pure Magnesium/China | Dow Chemical International Union of Operating Engineers (Local 564) Magnesium Corporation of America United Steelworkers of America (Local 8319) |
| A-821-805 | 731-TA-697 | Pure Magnesium/Russia | Dow Chemical International Union of Operating Engineers Magnesium Corporation of America United Steelworkers of America |
| A-507-502 | 731-TA-287 | Raw In-shell Pistachios/Iran | Blackwell Land California Pistachio Orchard Keenan Farms Kern Pistachio Hulling & Drying Los Ranchos de Poco Pedro Pistachio Producers of California T.M. Duche Nut |
| C-507-501 | None | Raw In-shell Pistachios/Iran | Blackwell Land Co Cal Pure Pistachios, Inc Calif Pistachio Commission Calif Pistachio Orchards Keenan Farms, Inc Kern Pistachio Hulling & Drying Co-op Los Rancheros de Poco Pedro Pistachio Producers of Calif T.M. Duche Nut Co, Inc |
| A-122-401 | 731-TA-196 | Red Raspberries/Canada | Northwest Food Producers' Association Oregon Caneberry Commission Rader Farms Ron Roberts Shuksan Frozen Food Washington Red Raspberry Commission |
| A-570-882 | 731-TA-1022 | Refined Brown Aluminum Oxide/China | C-E Minerals Treibacher Schleifmittel North America, Inc Washington Mills Co, Inc |
| C-507-601 | None | Roasted In-shell Pistachios/Iran | Cal Pure Pistachios Calif Pistachio Commission Keenan Farms, Inc Kern Pistachio Hulling & Drying Co-op Pistachio Producers of Calif T.M. Duche Nut Co, Inc |
| A-588-028 | AA1921-111 | Roller Chain/Japan | Acme Chain Division, North American Rockwell |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|----------------------------|--|
| | | | American Chain Association Atlas Chain & Precision Products Diamond Chain Link-Belt Chain Division, FMC Morse Chain Division, Borg Warner Rex Chainbelt |
| A-570-878 | 731-TA-1013 | Saccharin/China | PMC Specialties Group, Inc |
| A-357-809 | 731-TA-707 | Seamless Pipe/Argentina | Koppel Steel Quanex Timken United States Steel |
| A-351-826 | 731-TA-708 | Seamless Pipe/Brazil | Koppel Steel Quanex Timken United States Steel |
| A-428-820 | 731-TA-709 | Seamless Pipe/Germany | Koppel Steel Quanex Timken United States Steel |
| A-475-814 | 731-TA-710 | Seamless Pipe/Italy | Koppel Steel Quanex Timken United States Steel |
| C-475-815 | 701-TA-362 | Seamless Pipe/Italy | Koppel Steel Quanex Timken United States Steel |
| A-570-825 | 731-TA-653 | Sebacic Acid/China | Union Camp |
| A-351-824 | 731-TA-671 | Silicomanganese/Brazil | Elkem Metals Oil, Chemical and Atomic Workers (Local 3-639) |
| A-533-823 | 731-TA-929 | Silicomanganese/Canada | Eramet Marietta Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639 |
| A-570-828 | 731-TA-672 | Silicomanganese/China | Elkem Metals Oil, Chemical and Atomic Workers (Local 3-639) |
| A-834-807 | 731-TA-930 | Silicomanganese/Kazakhstan | Eramet Marietta Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639 |
| A-823-805 | 731-TA-673 | Silicomanganese/Ukraine | Elkem Metals Oil, Chemical and Atomic Workers (Local 3-639) |
| A-307-820 | 731-TA-931 | Silicomanganese/Venezuela | Eramet Marietta Paper, Allied-Industrial, Chemical and Energy Workers International Union, Local 5-0639 |
| A-357-804 | 731-TA-470 | Silicon Metal/Argentina | American Alloys Elkem Metals Globe Metallurgical International Union of Electronics, Electrical, Machine and |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Furniture Workers (Local 693) Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech SiMETCO SKW Alloys Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60) United Steelworkers of America (Locals 5171, 8538, and 12646) |
| A-351-806 | 731-TA-471 | Silicon Metal/Brazil | American Alloys Globe Metallurgical International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693) Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech SiMETCO Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60) United Steelworkers of America (Locals 5171, 8538, and 12646) |
| A-570-806 | 731-TA-472 | Silicon Metal/China | American Alloys Elkem Metals Globe Metallurgical International Union of Electronics, Electrical, Machine and Furniture Workers (Local 693) Oil, Chemical and Atomic Workers (Local 389) Silicon Metaltech SiMETCO SKW Alloys Textile Processors, Service Trades, Health Care Professional and Technical Employees (Local 60) United Steelworkers of America (Locals 5171, 8538, and 12646) |
| A-821-817 | 731-TA-991 | Silicon Metal/Russia | Globe Metallurgical Inc SIMCALA, Inc |
| A-588-809 | 731-TA-426 | Small Business Telephone Systems/Japan | American Telephone & Telegraph Comdial Eagle Telephonic |
| A-580-803 | 731-TA-427 | Small Business Telephone Systems/Korea | American Telephone & Telegraph Comdial Eagle Telephonic |
| A-583-806 | 731-TA-428 | Small Business Telephone Systems/Taiwan | American Telephone & Telegraph Comdial Eagle Telephonic |
| A-583-008 | 731-TA-132 | Small Diameter Carbon Steel Pipe and Tube/Taiwan | Allied Tube & Conduit American Tube Bull Moose Tube |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Copperweld Tubing J&L Steel Kaiser Steel Merchant Metals Pittsburgh Tube Southwestern Pipe Western Tube & Conduit |
| A-559-502 | 731-TA-296 | Small Diameter Standard and Rectangular Pipe and Tube/Singapore | Allied Tube & Conduit American Tube Bull Moose Tube Cyclops Hannibal Industries Laclede Steel Pittsburgh Tube Sharon Tube Western Tube & Conduit Wheatland Tube |
| A-851-802 | 731-TA-846 | Small-diameter Carbon Steel Seamless Pipe/Czech Republic | Koppel Steel North Star Steel Sharon Tube Timken U.S. Steel United Steelworkers of America USS/Kobe Vision Metals' Gulf States Tube |
| A-588-851 | 731-TA-847 | Small-diameter Carbon Steel Seamless Pipe/Japan | Koppel Steel North Star Steel Sharon Tube Timken U.S. Steel United Steelworkers of America USS/Kobe Vision Metals' Gulf States Tube |
| A-485-805 | 731-TA-849 | Small-diameter Carbon Steel Seamless Pipe/Romania | Koppel Steel North Star Steel Sharon Tube Timken U.S. Steel United Steelworkers of America USS/Kobe Vision Metals' Gulf States Tube |
| A-791-808 | 731-TA-850 | Small-diameter Carbon Steel Seamless Pipe/South Africa | Koppel Steel North Star Steel Sharon Tube Timken U.S. Steel United Steelworkers of America |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------------------------|---|
| | | | USS/Kobe Vision Metals' Gulf States Tube |
| A-588-839 | 731-TA-740 | Sodium Azide/Japan | American Azide |
| A-570-805 | 731-TA-466 | Sodium Thiosulfate/China | Calabrian |
| A-428-807 | 731-TA-465 | Sodium Thiosulfate/Germany | Calabrian |
| A-412-805 | 731-TA-468 | Sodium Thiosulfate/United Kingdom | Calabrian |
| A-122-838 | 731-TA-928 | Softwood Lumber/Canada | 71 Lumber Co Almond Bros Lbr Co Anthony Timberlands Balfour Lbr Co Ball Lumber Banks Lumber Company Barge Forest Products Co Beadles Lumber Co Bearden Lumber Bennett Lumber Big Valley Band Mill Bighorn Lumber Co, Inc Blue Mountain Lumber Buddy Bean Lumber Burgin Lumber Co, Ltd Burt Lumber Company C&D Lumber Co C.M. Tucker Lumber Corp Ceda-Pine Veneer Cersosimo Lumber Co, Inc Charles Ingram Lumber Co, Inc Charleston Heart Pine Chesterfield Lumber Chips Chocorua Valley Lumber Co Claude Howard Lumber Clearwater Forest Industries CLW, Inc Coalition for Fair Lumber Imports Executive Committee Cody Lumber Co Collins Pine Co Collums Lumber Columbus Lumber Co Contoocook River Lumber Conway Guiteau Lumber Cornwright Lumber Co Crown Pacific D.R. Johnson Lumber Daniels Lumber Inc Dean Lumber Co, Inc Deltic Timber Corporation |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Devils Tower Forest Products DiPrizio Pine Sales Dorchester Lumber Co East Brainerd Lumber Co East Coast Lumber Company Eas-Tex Lumber ECK Wood Products Ellingson Lumber Co Elliott Sawmilling Empire Lumber Co Evergreen Forest Products Excalibur Shelving Systems, Inc Exley Lumber Co F.H. Stoltze Land & Lumber Co F.L. Turlington Lbr Co, Inc Fleming Lumber Flippo Lumber Floragen Forest Products Frank Lumber Co Franklin Timber Co Fred Tebb & Sons Fremont Sawmill Frontier Resources Garrison Brothers Lumber Co and Subsidiaries Georgia Lumber Gilman Building Products Godfrey Lumber Granite State Forest Prod, Inc Great Western Lumber Co Greenville Molding, Inc Griffin Lumber Company Guess Brothers Lumber Gulf Lumber Gulf States Paper Guy Bennett Lumber H.G. Toler & Son Lumber Co, Inc H.G. Wood Industries, LLC H.S. Hofer & Sons Lumber Co, Inc H.W. Culp Lumber Co Hampton Resources Hancock Lumber Hankins Lumber Co Hankins, Inc Harrigan Lumber Harwood Products Haskell Lumber, Inc Hatfield Lumber |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Hedstrom Lumber Herrick Millwork, Inc Hogan & Storey Wood Prod Hogan Lumber Co Hood Industries Hubbard Forest Ind, Inc Idaho Veneer Co Industrial Wood Products Intermountain Res LLC International Paper J. Franklin Jones Lumber Co, Inc J.D. Martin Lumber Co J.E. Jones Lumber Co J.H. Knighton Lumber Co J.P. Haynes Lbr Co Inc J.V. Wells, Inc J.W. Jones Lumber Jack Batte & Sons, Inc Jasper Lumber Company Jerry G. Williams & Sons Johnson Lumber Company Jordan Lumber & Supply Joseph Timber Co Keadle Lumber Enterprises Keller Lumber King Lumber Co Konkolville Lumber Langdale Forest Products Laurel Lumber Company Leavitt Lumber Co Leesville Lumber Co Limington Lumber Co Longview Fibre Co Lovell Lumber Co, Inc M. Kendall Lumber Co M.B. Heath & Sons Lumber Co M.C. Dixon Lumber Co, Inc Manke Lumber Co Marriner Lumber Co Mason Lumber Mebane Lumber Co, Inc Metcalf Lumber Co, Inc Millry Mill Co, Inc Moose Creek Lumber Co Moose River Lumber Morgan Lumber Co, Inc Mount Yonah Lumber Co |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Nagel Lumber New Kearsarge Corp New South Nicolet Hardwoods Nieman Sawmills SD Nieman Sawmills WY North Florida Northern Lights Timber & Lumber Northern Neck Lumber Co Ochoco Lumber Co Olon Belcher Lumber Co Owens and Hurst Lumber Packaging Corp of America Page & Hill Forest Products Paper, Allied-Industrial, Chemical and Energy Workers International Union Parker Lumber Pate Lumber Co, Inc PBS Lumber Pedigo Lumber Co Piedmont Hardwood Lumber Co Pine River Lumber Co Pinecrest Lumber Co Pleasant River Lumber Co Pleasant Western Lumber, Inc Plum Creek Timber Pollard Lumber Portac Potlatch Potomac Supply Precision Lumber, Inc Pruitt Lumber, Inc R. Leon Williams Lumber Co R.A. Yancey Lumber Rajala Timber Co Ralph Hamel Forest Products Randy D. Miller Lumber Rappahannock Lumber Co Regulus Stud Mills, Inc Riley Creek Lumber Roanoke Lumber Co Robbins Lumber Robertson Lumber Roseburg Forest Products Co Rough & Ready RSG Forest Products Rushmore Forest Products |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | RY Timber, Inc S.I. Storey Lumber Sam Mabry Lumber Co Scotch Lumber SDS Lumber Co Seacoast Mills, Inc Seago Lumber Seattle-Snohomish Seneca Sawmill Shaver Wood Products Shearer Lumber Products Shuqualak Lumber Sierra Forest Products Sierra Pacific Industries Sigfridson Wood Products Silver City Lumber, Inc Somers Lbr & Mfg, Inc South & Jones South Coast Southern Forest Industries, Inc Southern Lumber St. Laurent Forest Products Starfire Lumber Co Steely Lumber Co, Inc Stimson Lumber Summit Timber Co Sundance Lumber Superior Lumber Swanson Superior Forest Products, Inc Swift Lumber T.R. Miller Mill Co Tamarack Mill Taylor Lumber & Treating, Inc Temple-Inland Forest Products Thompson River Lumber Three Rivers Timber Thrift Brothers Lumber Co, Inc Timco, Inc Tolleson Lumber Toney Lumber Tradewinds of Virginia Ltd Travis Lumber Co Tree Source Industries Inc Tri-State Lumber TTT Studs United Brotherhood of Carpenters and Joiners V.P. Kiser Lumber Co |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|------------------------|---|
| | | | Viking Lumber Co W.M. Shepherd Lumber Co W.R. Robinson Lumber Co, Inc Walton Lumber Co, Inc Warm Springs Forest Products Westvaco Corp Wilkens, Kaiser & Olsen, Inc Wrenn Brothers, Inc Wyoming Sawmills Yakama Forest Products Younce & Ralph Lumber Co, Inc Zip-O-Log Mills, Inc |
| C-122-839 | 701-TA-414 | Softwood Lumber/Canada | 71 Lumber Co Almond Bros Lbr Co Anthony Timberlands Balfour Lbr Co Ball Lumber Banks Lumber Company Barge Forest Products Co Beadles Lumber Co Bearden Lumber Bennett Lumber Big Valley Band Mill Bighorn Lumber Co, Inc Blue Mountain Lumber Buddy Bean Lumber Burgin Lumber Co, Ltd Burt Lumber Company C&D Lumber Co C.M. Tucker Lumber Corp Ceda-Pine Veneer Cersosimo Lumber Co, Inc Charles Ingram Lumber Co, Inc Charleston Heart Pine Chesterfield Lumber Chips Chocorua Valley Lumber Co Claude Howard Lumber Clearwater Forest Industries CLW, Inc Coalition for Fair Lumber Imports Executive Committee Cody Lumber Co Collins Pine Co Collums Lumber Columbus Lumber Co Contoocook River Lumber Conway Guiteau Lumber |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Cornwright Lumber Co Crown Pacific D.R. Johnson Lumber Daniels Lumber Inc Dean Lumber Co, Inc Deltic Timber Corporation Devils Tower Forest Products DiPrizio Pine Sales Dorchester Lumber Co East Brainerd Lumber Co East Coast Lumber Company Eas-Tex Lumber ECK Wood Products Ellingson Lumber Co Elliott Sawmilling Empire Lumber Co Evergreen Forest Products Excalibur Shelving Systems, Inc Exley Lumber Co F.H. Stoltze Land & Lumber Co F.L. Turlington Lbr Co, Inc Fleming Lumber Flippo Lumber Floragen Forest Products Frank Lumber Co Franklin Timber Co Fred Tebb & Sons Fremont Sawmill Frontier Resources Garrison Brothers Lumber Co and Subsidiaries Georgia Lumber Gilman Building Products Godfrey Lumber Granite State Forest Prod, Inc Great Western Lumber Co Greenville Molding, Inc Griffin Lumber Company Guess Brothers Lumber Gulf Lumber Gulf States Paper Guy Bennett Lumber H.G. Toler & Son Lumber Co, Inc H.G. Wood Industries, LLC H.S. Hofler & Sons Lumber Co, Inc H.W. Culp Lumber Co Hampton Resources Hancock Lumber |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Hankins Lumber Co Hankins, Inc Harrigan Lumber Harwood Products Haskell Lumber, Inc Hatfield Lumber Hedstrom Lumber Herrick Millwork, Inc Hogan & Storey Wood Prod Hogan Lumber Co Hood Industries Hubbard Forest Ind, Inc Idaho Veneer Co Industrial Wood Products Intermountain Res LLC International Paper J. Franklin Jones Lumber Co, Inc J.D. Martin Lumber Co J.E. Jones Lumber Co J.H. Knighton Lumber Co J.P. Haynes Lbr Co Inc J.V. Wells, Inc J.W. Jones Lumber Jack Batte & Sons, Inc Jasper Lumber Company Jerry G. Williams & Sons Johnson Lumber Company Jordan Lumber & Supply Joseph Timber Co Keadle Lumber Enterprises Keller Lumber King Lumber Co Konkolville Lumber Langdale Forest Products Laurel Lumber Company Leavitt Lumber Co Leesville Lumber Co Limington Lumber Co Longview Fibre Co Lovell Lumber Co, Inc M. Kendall Lumber Co M.B. Heath & Sons Lumber Co M.C. Dixon Lumber Co, Inc Manke Lumber Co Marriner Lumber Co Mason Lumber Mebane Lumber Co, Inc |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|---|
| | | | Metcalf Lumber Co, Inc Millry Mill Co, Inc Moose Creek Lumber Co Moose River Lumber Morgan Lumber Co, Inc Mount Yonah Lumber Co Nagel Lumber New Kearsarge Corp New South Nicolet Hardwoods Nieman Sawmills SD Nieman Sawmills WY North Florida Northern Lights Timber & Lumber Northern Neck Lumber Co Ochoco Lumber Co Olon Belcher Lumber Co Owens and Hurst Lumber Packaging Corp of America Page & Hill Forest Products Paper, Allied-Industrial, Chemical and Energy Workers International Union Parker Lumber Pate Lumber Co, Inc PBS Lumber Pedigo Lumber Co Piedmont Hardwood Lumber Co Pine River Lumber Co Pinecrest Lumber Co Pleasant River Lumber Co Pleasant Western Lumber, Inc Plum Creek Timber Pollard Lumber Portac Pottlatch Potomac Supply Precision Lumber, Inc Pruitt Lumber, Inc R. Leon Williams Lumber Co R.A. Yancey Lumber Rajala Timber Co Ralph Hamel Forest Products Randy D. Miller Lumber Rappahannock Lumber Co Regulus Stud Mills, Inc Riley Creek Lumber Roanoke Lumber Co |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Robbins Lumber Robertson Lumber Roseburg Forest Products Co Rough & Ready RSG Forest Products Rushmore Forest Products RY Timber, Inc S.I. Storey Lumber Sam Mabry Lumber Co Scotch Lumber SDS Lumber Co Seacoast Mills, Inc Seago Lumber Seattle-Snohomish Seneca Sawmill Shaver Wood Products Shearer Lumber Products Shuqualak Lumber Sierra Forest Products Sierra Pacific Industries Sigfridson Wood Products Silver City Lumber, Inc Somers Lbr & Mfg, Inc South & Jones South Coast Southern Forest Industries, Inc Southern Lumber St. Laurent Forest Products Starfire Lumber Co Steely Lumber Co, Inc Stimson Lumber Summit Timber Co Sundance Lumber Superior Lumber Swanson Superior Forest Products, Inc Swift Lumber T.R. Miller Mill Co Tamarack Mill Taylor Lumber & Treating, Inc Temple-Inland Forest Products Thompson River Lumber Three Rivers Timber Thrift Brothers Lumber Co, Inc Timco, Inc Tolleson Lumber Toney Lumber Tradewinds of Virginia Ltd |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|----------------------|--|
| | | | Travis Lumber Co Tree Source Industries Inc Tri-State Lumber TTT Studs United Brotherhood of Carpenters and Joiners V.P. Kiser Lumber Co Viking Lumber Co W.M. Shepherd Lumber Co W.R. Robinson Lumber Co, Inc Walton Lumber Co, Inc Warm Springs Forest Products Westvaco Corp Wilkens, Kaiser & Olsen, Inc Wrenn Brothers, Inc Wyoming Sawmills Yakama Forest Products Younce & Ralph Lumber Co, Inc Zip-O-Log Mills, Inc |
| A-831-801 | 731-TA-340A | Solid Urea/Armenia | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-822-801 | 731-TA-340B | Solid Urea/Belarus | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-447-801 | 731-TA-340C | Solid Urea/Estonia | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-451-801 | 731-TA-340D | Solid Urea/Lithuania | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-485-601 | 731-TA-339 | Solid Urea/Romania | Agrico Chemical |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-------------------------|---|
| | | | American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-821-801 | 731-TA-340E | Solid Urea/Russia | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-842-801 | 731-TA-340F | Solid Urea/Tajikistan | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-843-801 | 731-TA-340G | Solid Urea/Turkmenistan | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-823-801 | 731-TA-340H | Solid Urea/Ukraine | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-844-801 | 731-TA-340I | Solid Urea/Uzbekistan | Agrico Chemical American Cyanamid CF Industries First Mississippi Mississippi Chemical Terra International W.R. Grace |
| A-427-001 | 731-TA-44 | Sorbitol/France | Lonza Pfizer |
| A-570-804 | 731-TA-464 | Sparklers/China | B.J. Alan Diamond Sparkler Elkton Sparkler |
| A-583-827 | 731-TA-762 | SRAMs/Taiwan | Micron Technology |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|-----------------------------|--|
| A-588-856 | 731-TA-888 | Stainless Steel Angle/Japan | Slater Steels United Steelworkers of America |
| A-580-846 | 731-TA-889 | Stainless Steel Angle/Korea | Slater Steels United Steelworkers of America |
| A-469-810 | 731-TA-890 | Stainless Steel Angle/Spain | Slater Steels United Steelworkers of America |
| A-351-825 | 731-TA-678 | Stainless Steel Bar/Brazil | AL Tech Specialty Steel Carpenter Technology Crucible Specialty Metals Electralloy Republic Engineered Steels Slater Steels Talley Metals Technology United Steelworkers of America |
| A-427-820 | 731-TA-913 | Stainless Steel Bar/France | Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America |
| A-428-830 | 731-TA-914 | Stainless Steel Bar/Germany | Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America |
| A-533-810 | 731-TA-679 | Stainless Steel Bar/India | AL Tech Specialty Steel Carpenter Technology Crucible Specialty Metals Electralloy Republic Engineered Steels Slater Steels Talley Metals Technology United Steelworkers of America |
| A-475-829 | 731-TA-915 | Stainless Steel Bar/Italy | Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America |
| C-475-830 | 701-TA-413 | Stainless Steel Bar/Italy | Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Republic Technologies International Slater Steels United Steelworkers of America |
| A-588-833 | 731-TA-681 | Stainless Steel Bar/Japan | AL Tech Specialty Steel Carpenter Technology Crucible Specialty Metals Electralloy Republic Engineered Steels Slater Steels Talley Metals Technology United Steelworkers of America |
| A-580-847 | 731-TA-916 | Stainless Steel Bar/Korea | Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America |
| A-469-805 | 731-TA-682 | Stainless Steel Bar/Spain | AL Tech Specialty Steel Carpenter Technology Crucible Specialty Metals Electralloy Republic Engineered Steels Slater Steels Talley Metals Technology United Steelworkers of America |
| A-412-822 | 731-TA-918 | Stainless Steel Bar/United Kingdom | Carpenter Technology Crucible Specialty Metals Electralloy Empire Specialty Steel Republic Technologies International Slater Steels United Steelworkers of America |
| A-475-828 | 731-TA-865 | Stainless Steel Butt-weld Pipe Fittings/Italy | Gerlin Markovitz Enterprises Shaw Alloy Piping Products Taylor Forge Stainless |
| A-588-702 | 731-TA-376 | Stainless Steel Butt-weld Pipe Fittings/Japan | Flowline Shaw Alloy Piping Products Taylor Forge Stainless |
| A-580-813 | 731-TA-563 | Stainless Steel Butt-weld Pipe Fittings/Korea | Gerlin Markovitz Enterprises Shaw Alloy Piping Products Taylor Forge Stainless |
| A-557-809 | 731-TA-866 | Stainless Steel Butt-weld Pipe Fittings/Malaysia | Gerlin Markovitz Enterprises Shaw Alloy Piping Products |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|---|--|
| | | | Taylor Forge Stainless |
| A-565-801 | 731-TA-867 | Stainless Steel Butt-weld Pipe Fittings/Philippines | Gerlin Markovitz Enterprises Shaw Alloy Piping Products Taylor Forge Stainless |
| A-583-816 | 731-TA-564 | Stainless Steel Butt-weld Pipe Fittings/Taiwan | Gerlin Markovitz Enterprises Shaw Alloy Piping Products Taylor Forge Stainless |
| A-401-603 | 731-TA-354 | Stainless Steel Hollow Products/Sweden | AL Tech Specialty Steel Allegheny Ludlum Steel ARMCO Carpenter Technology Crucible Materials Damacus Tubular Products Specialty Tubing Group |
| A-423-808 | 731-TA-788 | Stainless Steel Plate in Coils/Belgium | Allegheny Ludlum Armco Steel Lukens Steel North American Stainless United Steelworkers of America |
| C-423-809 | 701-TA-376 | Stainless Steel Plate in Coils/Belgium | Allegheny Ludlum Armco Steel Lukens Steel North American Stainless United Steelworkers of America |
| A-122-830 | 731-TA-789 | Stainless Steel Plate in Coils/Canada | Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless |
| A-475-822 | 731-TA-790 | Stainless Steel Plate in Coils/Italy | Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America |
| C-475-823 | 701-TA-377 | Stainless Steel Plate in Coils/Italy | Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America |
| A-580-831 | 731-TA-791 | Stainless Steel Plate in Coils/Korea | Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|---|---|
| | | | North American Stainless United Steelworkers of America |
| A-791-805 | 731-TA-792 | Stainless Steel Plate in Coils/South Africa | Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America |
| C-791-806 | 701-TA-379 | Stainless Steel Plate in Coils/South Africa | Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America |
| A-583-830 | 731-TA-793 | Stainless Steel Plate in Coils/Taiwan | Allegheny Ludlum Armco Steel J&L Specialty Steel Lukens Steel North American Stainless United Steelworkers of America |
| A-401-040 | AA1921-114 | Stainless Steel Plate/Sweden | Jessop Steel |
| A-427-814 | 731-TA-797 | Stainless Steel Sheet and Strip/France | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| C-427-815 | 701-TA-380 | Stainless Steel Sheet and Strip/France | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| A-428-825 | 731-TA-798 | Stainless Steel Sheet and Strip/Germany | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| A-475-824 | 731-TA-799 | Stainless Steel Sheet and Strip/Italy | Allegheny Ludlum |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| C-475-825 | 701-TA-381 | Stainless Steel Sheet and Strip/Italy | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| A-588-845 | 731-TA-800 | Stainless Steel Sheet and Strip/Japan | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| A-580-834 | 731-TA-801 | Stainless Steel Sheet and Strip/Korea | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| C-580-835 | 701-TA-382 | Stainless Steel Sheet and Strip/Korea | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| A-201-822 | 731-TA-802 | Stainless Steel Sheet and Strip/Mexico | Allegheny Ludlum Armco Bethlehem Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America |
| A-583-831 | 731-TA-803 | Stainless Steel Sheet and Strip/Taiwan | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| A-412-818 | 731-TA-804 | Stainless Steel Sheet and Strip/United Kingdom | Allegheny Ludlum Armco Steel Bethlehem Steel Butler Armco Independent Union Carpenter Technology Corp J&L Specialty Steel North American Stainless United Steelworkers of America Zanesville Armco Independent Organization |
| A-351-819 | 731-TA-636 | Stainless Steel Wire Rod/Brazil | AL Tech Specialty Steel Armco Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-427-811 | 731-TA-637 | Stainless Steel Wire Rod/France | AL Tech Specialty Steel Armco Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-533-808 | 731-TA-638 | Stainless Steel Wire Rod/India | AL Tech Specialty Steel Armco Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-475-820 | 731-TA-770 | Stainless Steel Wire Rod/Italy | AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| C-475-821 | 701-TA-373 | Stainless Steel Wire Rod/Italy | AL Tech Specialty Steel Carpenter Technology |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|--|---|
| | | | Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-588-843 | 731-TA-771 | Stainless Steel Wire Rod/Japan | AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-580-829 | 731-TA-772 | Stainless Steel Wire Rod/Korea | AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-469-807 | 731-TA-773 | Stainless Steel Wire Rod/Spain | AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| C-469-004 | 701-TA-178 | Stainless Steel Wire Rod/Spain | AL Tech Specialty Steel Armco Steel Carpenter Technology Colt Industries Cyclops Guterl Special Steel Joslyn Stainless Steels Republic Steel |
| A-401-806 | 731-TA-774 | Stainless Steel Wire Rod/Sweden | AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-583-828 | 731-TA-775 | Stainless Steel Wire Rod/Taiwan | AL Tech Specialty Steel Carpenter Technology Republic Engineered Steels Talley Metals Technology United Steelworkers of America |
| A-822-804 | 731-TA-873 | Steel Concrete Reinforcing Bar/Belarus | AmeriSteel Auburn Steel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Sheffield Steel |
| A-570-860 | 731-TA-874 | Steel Concrete Reinforcing Bar/China | AmeriSteel Auburn Steel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel |
| A-560-811 | 731-TA-875 | Steel Concrete Reinforcing Bar/Indonesia | AmeriSteel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel |
| A-580-844 | 731-TA-877 | Steel Concrete Reinforcing Bar/Korea | AmeriSteel Auburn Steel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel |
| A-449-804 | 731-TA-878 | Steel Concrete Reinforcing Bar/Latvia | AmeriSteel Auburn Steel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| | | | Sheffield Steel |
| A-841-804 | 731-TA-879 | Steel Concrete Reinforcing Bar/Moldova | AmeriSteel Auburn Steel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel |
| A-455-803 | 731-TA-880 | Steel Concrete Reinforcing Bar/Poland | AmeriSteel Auburn Steel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel |
| A-489-807 | 731-TA-745 | Steel Concrete Reinforcing Bar/Turkey | AmeriSteel Auburn Steel Birmingham Steel Commercial Metals Marion Steel New Jersey Steel |
| A-823-809 | 731-TA-882 | Steel Concrete Reinforcing Bar/Ukraine | AmeriSteel Auburn Steel Birmingham Steel Border Steel CMC Steel Group Co-Steel, Inc Marion Steel North Star Steel Co Nucor Steel Rebar Trade Action Coalition Riverview Steel Sheffield Steel |
| A-122-006 | AA1921-49 | Steel Jacks/Canada | Bloomfield Manufacturing (Harrah) Seaburn Metal Products |
| A-122-804 | 731-TA-422 | Steel Rails/Canada | Bethlehem Steel CF&I Steel |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|----------------------|------------------------|------------------------------|---|
| C-122-805 | 701-TA-297 | Steel Rails/Canada | Bethlehem Steel CF&I Steel |
| A-588-045 | AA1921-124 | Steel Wire Rope/Japan | AMSTED Industries |
| A-588-852 | 731-TA-853 | Structural Steel Beams/Japan | Northwestern Steel and Wire Nucor Nucor-Yamato Steel TXI-Chaparral Steel United Steelworkers of America |
| A-580-841 | 731-TA-854 | Structural Steel Beams/Korea | Northwestern Steel and Wire Nucor Nucor-Yamato Steel TXI-Chaparral Steel United Steelworkers of America |
| C-580-842 | 701-TA-401 | Structural Steel Beams/Korea | Northwestern Steel and Wire Nucor Nucor-Yamato Steel TXI-Chaparral Steel United Steelworkers of America |
| A-122-085 | 731-TA-3 | Sugar and Syrups/Canada | Amstar Sugar |
| A-423-077 | AA1921-198 | Sugar/Belgium | Florida Sugar Marketing and Terminal Association |
| C-408-046 | 104-TAA-7 | Sugar/EU | No Petition at the Commission; Commerce Service List Identifies: A.J. Yates Alexander & Baldwin American Farm Bureau Federation American Sugar Cane League American Sugarbeet Growers Association Amstar Sugar Florida Sugar Cane League Florida Sugar Marketing and Terminal Association H&R Brokerage Hawaiian Agricultural Research Center Leach Farms Michigan Farm Bureau Michigan Sugar Rio Grande Valley Sugar Growers Association Sugar Cane Growers Cooperative of Florida Talisman Sugar U.S. Beet Sugar Association United States Beet Sugar Association United States Cane Sugar Refiners' Association |
| A-427-078 | AA1921-199 | Sugar/France | Florida Sugar Marketing and Terminal Association |
| A-428-082 | AA1921-200 | Sugar/Germany | Florida Sugar Marketing and Terminal Association |
| A-570-815 | 731-TA-538 | Sulfanilic Acid/China | R-M Industries |
| A-437-804 | 731-TA-426 | Sulfanilic Acid/Hungary | Nation Ford Chemical |
| C-437-805 | 701-TA-426 | Sulfanilic Acid/Hungary | Nation Ford Chemical |
| A-533-806 | 731-TA-561 | Sulfanilic Acid/India | R-M Industries |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|--|
| C-533-807 | 701-TA-318 | Sulfanilic Acid/India | R-M Industries |
| A-471-806 | 731-TA-427 | Sulfanilic Acid/Portugal | Nation Ford Chemical |
| A-570-856 | 731-TA-851 | Synthetic Indigo/China | Buffalo Color United Steelworkers of America |
| A-588-041 | AA1921-115 | Synthetic Methionine/Japan | Monsanto |
| A-588-054 | AA1921-143 | Tapered Roller Bearings 4 Inches and Under/Japan | No Companies Identified as Petitioners at the Commission; Commerce Service List Identifies: American Honda Motor Federal Mogul Ford Motor General Motors Honda Hoover-NSK Bearing Isuzu Itocho ITOCHU International Kanematsu-Goshu USA Kawasaki Heavy Duty Industries Komatsu America Koyo Seiko Kubota Tractor Mitsubishi Motorambar Nachi America Nachi Western Nachi-Fujikoshi Nippon Seiko Nissan Motor Nissan Motor USA NSK NTN Subaru of America Sumitomo Suzuki Motor Timken Toyota Motor Sales Yamaha Motors |
| A-588-604 | 731-TA-343 | Tapered Roller Bearings Over 4 Inches/Japan | L&S Bearing Timken Torrington |
| A-570-601 | 731-TA-344 | Tapered Roller Bearings/China | L&S Bearing Timken Torrington |
| A-437-601 | 731-TA-341 | Tapered Roller Bearings/Hungary | L&S Bearing Timken Torrington |
| A-485-602 | 731-TA-345 | Tapered Roller Bearings/Romania | L&S Bearing |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Timken Torrington |
| A-588-015 | AA1921-66 | Television Receivers/Japan | AGIV (USA) Casio Computer CBM America Citizen Watch Funai Electric Hitachi Industrial Union Department J.C. Penny Matsushita Mitsubishi Electric Montgomery Ward NEC Orion Electric P.T. Imports Philips Electronics Philips Magnavox Sanyo Sharp Toshiba Toshiba America Consumer Products Victor Company of Japan Zenith Electronics |
| A-570-887 | 731-TA-1046 | Tetrahydrofurfuryl Alcohol/China | Penn Specialty Chemicals, Inc |
| A-588-854 | 731-TA-860 | Tin-mill Products/Japan | Independent Steelworkers United Steelworkers of America Weirton Steel |
| A-580-601 | 731-TA-304 | Top-of-the-stove Stainless Steel Cooking Ware/Korea | Farberware Regal Ware Revere Copper & Brass WearEver/Proctor Silex |
| C-580-602 | 701-TA-267 | Top-of-the-stove Stainless Steel Cooking Ware/Korea | Farberware Regal Ware Revere Copper & Brass WearEver/Proctor Silex |
| A-583-603 | 731-TA-305 | Top-of-the-stove Stainless Steel Cooking Ware/Taiwan | Farberware Regal Ware Revere Copper & Brass WearEver/Proctor Silex |
| C-583-604 | 701-TA-268 | Top-of-the-stove Stainless Steel Cooking Ware/Taiwan | Farberware Regal Ware Revere Copper & Brass WearEver/Proctor Silex |
| A-570-811 | 731-TA-497 | Tungsten Ore Concentrates/China | Curtis Tungsten U.S. Tungsten |
| A-843-802 | 731-TA-539 | Uranium/Kazakhstan | Ferret Exploration |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--------------------|---|
| | | | First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining Solution Mining Total Minerals Umetco Minerals Uranium Resources |
| A-821-802 | 731-TA-539-C | Uranium/Russia | Ferret Exploration First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining Solution Mining Total Minerals Umetco Minerals Uranium Resources |
| A-823-802 | 731-TA-539-E | Uranium/Ukraine | Ferret Exploration First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining Solution Mining Total Minerals Umetco Minerals Uranium Resources |
| A-844-802 | 731-TA-539-F | Uranium/Uzbekistan | Ferret Exploration First Holding Geomex Minerals IMC Fertilizer Malapai Resources Oil, Chemical and Atomic Workers Pathfinder Mines Power Resources Rio Algom Mining |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|---|---|
| | | | Solution Mining Total Minerals Umetco Minerals Uranium Resources |
| A-588-841 | 731-TA-750 | Vector Supercomputers/Japan | Cray Research |
| A-580-810 | 731-TA-540 | Welded ASTM A-312 Stainless Steel Pipe/Korea | Avesta Sandvik Tube Bristol Metals Crucible Materials Damascus Tubular Products United Steelworkers of America |
| A-583-815 | 731-TA-541 | Welded ASTM A-312 Stainless Steel Pipe/Taiwan | Avesta Sandvik Tube Bristol Metals Crucible Materials Damascus Tubular Products United Steelworkers of America |
| A-533-502 | 731-TA-271 | Welded Carbon Steel Pipe and Tube/India | Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube Central Steel Tube Century Tube Copperweld Tubing Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube |
| A-549-502 | 731-TA-252 | Welded Carbon Steel Pipe and Tube/Thailand | Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube Central Steel Tube Century Tube Copperweld Tubing |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube |
| A-489-501 | 731-TA-273 | Welded Carbon Steel Pipe and Tube/Turkey | Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube Central Steel Tube Century Tube Copperweld Tubing Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube |
| C-489-502 | 701-TA-253 | Welded Carbon Steel Pipe and Tube/Turkey | Allied Tube & Conduit American Tube Bernard Epps Bock Industries Bull Moose Tube Central Steel Tube Century Tube |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|--|---|
| | | | Copperweld Tubing Cyclops Hughes Steel & Tube Kaiser Steel Laclede Steel Maruichi American Maverick Tube Merchant Metals Phoenix Steel Pittsburgh Tube Quanex Sharon Tube Southwestern Pipe UNR-Leavitt Welded Tube Western Tube & Conduit Wheatland Tube |
| A-588-857 | 731-TA-919 | Welded Large Diameter Line Pipe/Japan | American Cast Iron Pipe Berg Steel Pipe Bethlehem Steel Napa Pipe/Oregon Steel Mills Saw Pipes USA Stupp U.S. Steel |
| A-201-828 | 731-TA-920 | Welded Large Diameter Line Pipe/Mexico | American Cast Iron Pipe Berg Steel Pipe Bethlehem Steel Napa Pipe/Oregon Steel Mills Saw Pipes USA Stupp U.S. Steel |
| A-570-890 | 731-TA-1058 | Wooden Bedroom Furniture/China | American Drew American of Martinsville Bassett Furniture Industries, Inc Bebe Furniture Carolina Furniture Works, Inc Carpenters Industrial Union Local 2093 Century Furniture Industries Country Craft Furniture, Inc Craftique Crawford Furniture Mfg Corp E.J. Victor, Inc Forest Designs Harden Furniture, Inc Hart Furniture Higdon Furniture Co IUE, Industrial Division of CWA, Local 82472 |

| Commerce Case Number | Commission Case Number | Product/Country | Petitioners/supporters |
|-------------------------|---------------------------|-----------------|--|
| | | | Johnston Tombigbee Furniture Mfg Co Kincaid Furniture Co, Inc L. & J. G. Stickley, Inc Lea Industries Michels & Co MJ Wood Products, Inc Mobel, Inc Modern Furniture Manufacturers, Inc Moosehead Mfg Co Oakwood Interiors O'Sullivan Industries, Inc Pennsylvania House, Inc Perdues, Inc Sandberg Furniture Mfg Co, Inc Stanley Furniture, Co, Inc Statton Furniture Mfg Assoc T. Copeland & Sons Teamsters, Chauffers, Warehousemen and Helpers Local 991 Tom Seely Furniture UBC Southern Council of Industrial Workers, Local Union 2305 United Steelworkers of America, Local 193U Vaughan Furniture Co, Inc Vaughan-Bassett Furniture Co, Inc Vermont Tubbs Webb Furniture Enterprises, Inc |



Federal Register

**Wednesday,
June 1, 2005**

Part III

Department of Transportation

Federal Aviation Administration

14 CFR Part 414

Safety Approvals; Proposed Rule

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****14 CFR Part 414**

[Docket No. FAA-2005-21332]

RIN 2120-A150

Safety Approvals**AGENCY:** Federal Aviation Administration (FAA), DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

SUMMARY: The Federal Aviation Administration proposes to amend commercial space transportation regulations by adding procedures for obtaining a safety approval. Application for a safety approval is voluntary. A safety approval is an FAA determination that a licensed launch or reentry may be conducted using a launch vehicle, reentry vehicle, safety system, process, service, or personnel approved under this part. The safety approval holder could then offer a launch vehicle,

reentry vehicle, safety system, process, service, or personnel to prospective launch and reentry licensees for use within a defined and proven envelope. Those licensees would not need added FAA approval of that portion of their license application. Proposed rules are needed to establish the procedures for obtaining a safety approval from the FAA.

DATES: Send your comments on or before August 30, 2005.**ADDRESSES:** You may send comments identified by Docket Number FAA-2005-21332 using any of the following methods:

- DOT Docket Web site: Go to <http://dms.dot.gov> and follow the instructions for sending your comments electronically.
- Government-wide rulemaking Web site: Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building,

Room PL-401, Washington, DC 20590-001.

- Fax: 1-202-493-2251.

• Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

For more information on the rulemaking process, see the **SUPPLEMENTARY INFORMATION** section of this document.

Privacy: We will post all comments we receive, without change, to <http://dms.dot.gov>, including any personal information you provide. For more information, see the Privacy Act discussion in the **SUPPLEMENTARY INFORMATION** section of this document.

Docket: To read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

| Questions regarding: | Contact | Address | Phone |
|---------------------------|--|---|--|
| Safety approval process | Charles P. Brinkman, Licensing and Safety Division (AST-200). or Esta Rosenberg, Office of the Chief Counsel (AGC-250). | Associate Administrator for Commercial Space Transportation, Federal Aviation Administration, DOT, Room 331, 800 Independence Avenue, SW., Washington, DC 20591. Federal Aviation Administration, DOT, Room 915, 800 Independence Avenue, SW., Washington, DC 20591. | (202) 267-7715. (202) 366-9320. |
| Technical standards | Jim Kabbara, System Engineering and Training Division (AST-300). | Associate Administrator for Commercial Space Transportation, Federal Aviation Administration, DOT, Room 331, 800 Independence Avenue, SW., Washington, DC 20591. | (202) 267-8379. |

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Comments Invited

The FAA invites interested persons to participate in this rulemaking by submitting written comments, data, or views. We also invite comments relating to the economic, environmental, energy, or federalism impacts that might result from adopting the proposals in this document. The most helpful comments reference a specific portion of the proposal, explain the reason for any recommended change, and include supporting data. We ask that you send us two copies of written comments.

We will file in the docket all comments we receive, as well as a report summarizing each substantive public contact with FAA personnel concerning this proposed rulemaking. The docket is available for public inspection before and after the comment closing date. If you wish to review the docket in person, go to the address in the **ADDRESSES** section of this preamble between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also review the docket using the Internet at the web address in the **ADDRESSES** section.

Privacy Act: Using the search function of our docket Web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78) or you may visit <http://dms.dot.gov>.

Before acting on this proposal, we will consider all comments we receive on or before the closing date for comments. We will consider comments filed late if it is possible to do so without incurring expense or delay. We may change this proposal in light of the comments we receive.

If you want the FAA to acknowledge receipt of your comments on this proposal, include with your comments a pre-addressed, stamped postcard on which the docket number appears. We will stamp the date on the postcard and mail it to you.

Availability of Rulemaking Documents

You can get an electronic copy using the Internet by:

- (1) Searching the Department of Transportation's electronic Docket Management System (DMS) web page (<http://dms.dot.gov/search>);
- (2) Visiting the Office of Rulemaking's web page at <http://www.faa.gov/avr/arm/index.cfm>; or
- (3) Accessing the Government Printing Office's web page at <http://www.gpoaccess.gov/fr/index.html>.

You can also get a copy by submitting a request to the Federal Aviation Administration, Office of Rulemaking, ARM-1, 800 Independence Avenue SW., Washington, DC 20591, or by calling (202) 267-9680. Make sure to identify the docket number, notice number, or amendment number of this rulemaking.

Authority for This Rulemaking

The Commercial Space Launch Act of 1984, as codified and amended at 49 U.S.C. Subtitle IX—Commercial Space Transportation, ch. 701, Commercial Space Launch Activities, 49 U.S.C. 70101–70121 (the Act), authorizes the Department of Transportation and the FAA, through delegations, to oversee, license and regulate commercial launch and reentry activities and the operation of launch and reentry sites as carried out by U.S. citizens or within the United States. 49 U.S.C. 70104, 70105. The Act directs the FAA to exercise this responsibility consistent with public health and safety, safety of property, and the national security and foreign policy interests of the United States. 49 U.S.C. 70105. The FAA is also responsible for encouraging, facilitating and promoting commercial space launches by the private sector. 49 U.S.C. 70103.

Authority for this particular rulemaking is derived from Section 70105(a)(2) that states the Secretary may establish procedures for “safety approvals” of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel for use in conducting licensed commercial space launch or reentry activities. (See Commercial Space Launch Act of 1998, Public Law 105–303) The 2004 amendments to the Act provided details regarding safety approvals for personnel to include explicitly approval procedures for the purpose of protecting the health and safety of crews and space flight participants. (See Commercial Space Launch Amendments Act of 2004, Public Law 108–492)

Background

History

The Commercial Space Launch Act of 1984, as amended and codified at 49 U.S.C. Subtitle IX—Commercial Space Transportation, Chapter 701, Commercial Space Launch Activities, 49 U.S.C. 70101–70121 (the Act), authorizes the Department of Transportation to oversee, license, and regulate commercial launch and reentry activities (including launch and reentry site operation) carried out by U.S. citizens or within the United States. 49 U.S.C. 70104, 70105. The Act directs the Secretary of Transportation to exercise this responsibility consistent with public health and safety, safety of property, and the national security and foreign policy interests of the United States. 49 U.S.C. 70105. By delegation, the FAA Administrator carries out the Secretary's authority.

Under the same delegated authority, the FAA has the responsibility for encouraging, facilitating, and promoting commercial space launches by the private sector. 49 U.S.C. 70103. The 1998 amendments to the Act added authority for establishment of procedures for “safety approvals” of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel for use in conducting licensed commercial space launch or reentry activities. (See Commercial Space Launch Act of 1998, Public Law 105–303) The 2004 amendments to the Act provided details regarding safety approvals for personnel to include explicitly approval procedures for the purpose of protecting the health and safety of crews and space flight participants. (See Commercial Space Launch Amendments Act of 2004, Public Law 108–492)

A significant addition to FAA authority is the ability to issue a safety approval separate from a licensing determination. A launch vehicle, reentry vehicle, safety system, process, service, or personnel (including crews and space flight participants) proposed for use in a licensed launch or reentry may be eligible for safety approval consideration. A safety approval would allow the use of an approved launch vehicle, reentry vehicle, safety system, process, service, or personnel without requiring reexamination of fitness for a particular launch or reentry proposal subject to FAA licensing. The decision to apply for a safety approval would be a voluntary one for an eligible applicant. Launch or reentry licensing would not require use of safety-approved systems or processes. Issuing a safety approval

would not represent authorization to conduct a launch or reentry.

Reliance on a safety-approved launch vehicle, reentry vehicle, safety system, process, service, or personnel could simplify launch and reentry licensing by the FAA. A safety approval would relieve the license applicant and the agency of the need to reconsider the impacts of the safety-approved element of a launch or reentry proposal on public health and safety and the safety of property. This would hold true as long as the proposed use falls within the terms of the safety approval. A safety approval would allow the FAA to apply findings related to safety approvals to different license applicants proposing to use the approved element.

Safety Approval Benefits

The safety approval, separate from a license, would allow the safety approval holder to offer a launch vehicle, reentry vehicle, safety system, process, service, or personnel to prospective launch and reentry vehicle operators, including reusable launch vehicle (RLV) mission operators. Those licensees would not need added FAA review of and approval for that portion of the license application. The FAA would evaluate the proposed use of a safety-approved element for a proposed launch or reentry activity to ensure that use of the safety approval does not exceed its approved envelope.

Benefit to the Commercial Space Transportation Industry

The nature of the commercial space transportation industry makes safety approvals attractive to prospective license applicants, launch and reentry vehicle operators, and other industry representatives. Major components, parts, or services are often used on different launch vehicles by different operators. Personnel involved in operational safety support such as telemetry, tracking, and range safety may support multiple launch or reentry operators.

The safety approval would benefit various entities, including the holder of the safety approval, license applicants and licensees, and the FAA. Entities other than licensed vehicle operators could offer approved systems or services to license applicants or licensees who might wish to use these systems or services. This rule would also benefit prospective licensees by allowing them to use "approved" systems and services with a minimum of added documentation for the safety-approved systems and services in their license applications.

An entity that receives a safety approval for a new system or process would be able to offer it to a licensee. Historically, the launch operator has borne the risk of proposing a new system or process. Many launch operators have not thought the benefits worth the cost to prove the safety of a new system or process because of the small number of launches. With the proposed safety approval process in place, the risk of approval would transfer to the prospective safety approval applicant, that is, the provider of the safety-approved system or service. This optional process could open the door to new providers offering these systems or services. The provider might elect to seek a safety approval and market the system or service to launch operators. This safety approval would allow for the potential use of an approved system or component on more than one specific launch or reentry vehicle. Therefore, safety approvals have the potential to make the industry more willing to adopt innovative systems and processes because costs of obtaining the approval would be shared, rather than borne by a single launch operator.

Where appropriate, the FAA would coordinate its review of applications for safety approvals with other government agencies and especially with the operators of federal launch ranges. Currently, the FAA works closely with the U.S. Air Force because most FAA-licensed launches occur at ranges operated by the U.S. Air Force. However, other federal agencies may have an interest in an item under consideration for a safety approval. The FAA expects to consult with these agencies to minimize the possibility of a discrepancy between its evaluation and any later evaluation by another federal agency.

Benefit to the FAA

The safety approval would also benefit the FAA because a portion of the documentation and analysis necessary for the FAA to make a licensing determination would have already been done as part of the safety approval process. The FAA would not have to conduct that analysis anew for each license applicant proposing to use a safety-approved system or service. The safety approval would describe the system or service and contain the analyses undertaken in granting it.

As part of its licensing responsibility, the FAA's Commercial Space Transportation Office (AST) would perform a safety review to ensure the proposed activity does not jeopardize public health and safety and the safety

of property. To conduct a safety review, the FAA would require information about a launch license applicant's safety organization, vehicle design, and operational safety practices. The FAA makes maximum use of the information a license applicant must provide to a Federal launch range. If the launch is not from a Federal launch range, the license applicant must provide the FAA with information similar to what it would have had to provide to a Federal launch range. This would allow the applicant to demonstrate a level of safety equivalent to that practiced at a Federal launch range. If a safety approval has been issued, the FAA would use information previously submitted as the basis for a safety approval in its evaluation of a license application.

Need for a Regulation

49 U.S.C. Subtitle IX, Commercial Space Transportation, Chapter 701 provides that the FAA may issue procedures for obtaining a safety approval. The purpose of this regulation is to provide the rules and procedures for obtaining safety approvals, as envisioned by the statutory authority.

General Discussion of the Proposals

The FAA has the responsibility to encourage, facilitate, and promote commercial space launches by the private sector. It has the authority to establish procedures for safety approvals of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel for use in conducting licensed commercial space launch or reentry activities. In this rulemaking action, FAA proposes to add part 414 to 14 CFR Chapter III. This part will lay out the requirements and procedures for seeking a safety approval.

Section-by-Section Discussion of the Proposals

Subpart A—General

Section 414.1 What is the basis and scope of this rule?

This rulemaking would establish the procedures governing the safety approval application and FAA procedures for transferring an existing safety approval and renewing an existing safety approval. In addition, this rulemaking outlines the criteria we would apply to safety approval applications and the procedures for approving or denying a safety approval.

Furthermore, this rulemaking identifies what would be eligible for safety approvals and the rights and

privileges a safety approval would confer.

Section 414.3 *To what does this rule apply?*

This rulemaking would apply to any applicant seeking a safety approval for a launch vehicle, reentry vehicle, safety system, process, service, or personnel. The safety approval would be used in the conduct of a licensed launch of a launch vehicle or the reentry of a reentry vehicle.

Section 414.5 *What is a safety approval?*

A safety approval is an FAA determination that a licensed launch or reentry may be conducted using a launch vehicle, reentry vehicle, safety system, process, service, or personnel approved under this part. Use, when occurring within a defined and proven envelope, would not jeopardize public health and safety or the safety of property. It is not the equivalent of certification under a design standard, nor is it a warranty of performance.

The safety approval is consistent with current FAA practice. In issuing a license, we routinely incorporate past findings from license evaluations for a particular applicant in evaluating applications for new licenses or renewals of licenses for that same applicant. A safety approval would allow us to apply findings related to safety approvals to different license applicants proposing to use the approved element. Therefore, a person offering a safety-approved vehicle, system, service, or personnel would enjoy the ability to offer approved "off-the-shelf" systems or services. A launch operator wishing to use an approved system or service could rely on its approval for a particular use. License applicants for a launch or reentry license could propose to use an approved system or service. A license applicant for a launch or reentry license would only need to show that its proposed use is compatible with the use and limits specified in the safety approval and will work as intended within the entire launch or reentry system.

The ability to rely on a safety approval would relieve the holder of supplying the specific information already provided in support of a safety approval. Safety approval holders would also not need to re-qualify an approved system for each use as long as that use is consistent with launch or reentry safety, as defined in the safety approval parameters, terms, and conditions. However, the safety approval would not relieve the holder of

proving the safety of any portion of the operation not covered by a safety approval. A safety approval of a launch vehicle, reentry vehicle, safety system, process, service, or personnel indicates the approved element could be used to support a launch or reentry proposal and is consistent with FAA review standards for licensing, that is, using the approved element would not jeopardize public health or safety or the safety of property. The safety approval meets the safety criteria for licensing a launch or reentry when used as intended and within the limits of the approval.

What is eligible for a safety approval?

Any safety system or service integral to launch or reentry operations is a possible candidate for a safety approval, as well as the entire vehicle and personnel who perform key safety functions. For personnel, safety approvals would likely be a set of qualifications for a particular safety function (including crews and space flight participants). Candidates for a safety approval might include:

- Launch/reentry vehicles,
 - Safety systems, for example, flight termination systems, both on-board and ground tracking systems, and vehicle health monitoring systems,
 - Safety processes, for example, a method for installing flight termination system hardware,
 - Approved testing procedures by system,
 - Approved maintenance procedures,
 - Approved flight-testing process/procedures,
 - Flight safety analysis, such as wind weighting,
 - Flight safety monitoring, and
 - Personnel (qualification section),
- for carrying out such functions such as:
- Range safety officer,
 - Safety personnel,
 - Safety official,
 - Radar operators,
 - Flight safety officer,
 - Crew,
 - Space flight participants.

We would review each application individually to determine whether to issue a safety approval for a proposed launch vehicle, reentry vehicle, safety system, process, service, or personnel based on existing performance standards, accepted practice, or other proposed criteria.

Section 414.7 *Who must obtain a safety approval?*

No one would be required to obtain a safety approval. The program would be entirely voluntary.

Section 414.9 *Who may apply for a safety approval?*

Anyone may apply for a safety approval. However, the applicant should be the individual or entity having the most direct responsibility, knowledge, and experience with the system or service for which a safety approval is sought. For instance, the manufacturer would be expected to be the applicant for a safety approval for hardware. A different applicant might seek a safety approval for the operation or maintenance of that same hardware.

Section 414.11 *What rights are not conferred by a safety approval?*

While a safety approval confers distinct advantages to the holder, there are rights that would not come with a safety approval.

(a) A safety approval would not confer any authority to conduct launch, reentry, or site operations.

(b) A safety approval would not be a finding, guarantee, or warranty that a safety-approved element of a launch or reentry proposal will assure mission success or necessarily perform as represented by the manufacturer. The safety approval means that a launch or reentry may be conducted using the approved element without jeopardizing the safety of the uninvolved public. (The launch or reentry proposal, in its entirety must satisfy licensing and safety requirements contained in FAA Commercial Space Transportation regulations.)

(c) Issuance of a safety approval would not relieve you of the responsibility to comply with all applicable requirements of law or regulation that may apply to its activities.

(d) A safety approval would not be certification by the FAA of a vehicle or component design or of services involved in a licensed launch or reentry.

(e) Issuance of a safety approval would not suggest that mission assurance will be achieved or that a launch system will not fail.

(f) Finally, a safety approval would not be a finding of adequacy for purposes outside the stated limits of the safety approval.

Subpart B—Safety Approval Application

Section 414.13 *What is the pre-application process?*

We would encourage you to consult with staff in the Commercial Space Transportation (AST) office before submitting an application. This would enable you and AST to identify any potential safety issues during the

planning stages of your safety approval application. We could tell you whether we believe the proposal is eligible and suitable for a safety approval. We could also provide guidance about the specific information and detail required. If your application required changes, they would be easier and less costly to make at this stage than midway through the process.

Section 414.15 How will the FAA determine whether something is eligible and suitable for a safety approval?

We would consider several factors when determining the eligibility and suitability of something proposed for a safety approval. The following table details some of the major factors.

Identity of the applicant:

- Individuals or entities who manufacture and offer the applicant launch vehicles or reentry vehicles or launch or reentry services.
- Individuals or entities who design or develop safety systems or processes.
- Personnel who perform critical safety roles used to conduct a licensed launch or reentry.

Knowledge of the applicant about systems or services:

- Ability to show the design and operation qualifies for the applicant a safety approval.
 - A manufacturer would apply for a safety approval of a launch vehicle.
 - A different applicant, with performance expertise and qualifications, would apply for a safety approval to operate the hardware.

Standards for eligibility:

Measure against existing performance standards, eligibility accepted practice, or other proposed criteria.

Section 414.17 How do I prepare an application?

This section details the information you would include in your application for a safety approval. Besides administrative and technical information, we would request you cite relevant performance standards and criteria against which we would evaluate the system or service proposed for a safety approval. An acceptable standard allows an applicant to show that public health and safety and the safety of property would be maintained to the level of the safety criteria named in FAA regulations. The scope of the approval would be based on the scope of the demonstration. For example, for a radar tracking system integral to range safety, you might demonstrate the ability of the radar to track launch vehicles as a function of radar cross section, vehicle velocity, acceleration, and trajectory along with notable

ambient effects, such as weather conditions. The demonstration and, therefore, the scope of the applicability of the safety approval would not be specific to a particular vehicle. Although it would be mutually beneficial to the safety approval applicant and the FAA to create a safety approval that was not specific to a particular vehicle, sometimes that approach may not be possible. It is always up to you to determine whether the cost of obtaining a safety approval is worthwhile. This is especially true given that we will incorporate prior findings from a past licensing determination in issuing a new license for essentially the same or very similar launch activity.

Section 414.19 How can I assure confidentiality of the information I submit on a safety approval application?

We appreciate that your safety approval application might consist of some trade secrets, proprietary information, or other confidential information. Although we cannot assure confidentiality because the application, in whole or in part, may be subject to disclosure under certain laws, for example, the Freedom of Information Act, we try to maintain strict confidentiality. Our experience with license applications has demonstrated our commitment to confidentiality. This rulemaking would outline the steps to follow to protect trade secrets, proprietary commercial or financial data, or any other information you regard as confidential. Some of these steps are:

- Make a written request for confidentiality at the time you submit information or data to the FAA.
- Mark confidential information or data with an identifying legend, such as "Proprietary Information," "Proprietary Commercial Information," "Trade Secret," or "Confidential Treatment Requested."
- Provide a cover sheet when marking is not practical.
- Do not propose safety standards that you consider secret, proprietary, and confidential. They cannot be used as a basis for issuance of safety approval.

Section 414.21 How does FAA handle an initial application?

If there has been pre-application consultation, we would conduct an initial screening to determine the system or service under consideration for a safety approval. In all cases, we would then determine if the criteria you cited are an acceptable basis for

evaluating the proposed system or service.

Once we complete the screening, we would tell you if the application is complete or incomplete. If it is complete, we would start the reviews or evaluations required for a safety approval determination. If it is incomplete, we would tell you the reasons we are rejecting the application. You could attempt to correct any deficiencies and resubmit your application for consideration.

Section 414.23 Is there a specified timeframe for the review period?

We propose no review period deadlines for issuance or denial of a safety approval. There are no legislative requirements to make a safety approval determination within a specified time.

Section 414.25 How do I maintain the continued accuracy of my application and provide supplemental information or amendments?

We would expect that companies may continue development work on systems and services after we accept an application but before we issue a safety approval. If improvements in the system or service should occur during the safety approval application process, you would submit a statement providing the new or corrected information. You would then need to follow the steps outlined in § 414.17 to recertify the accuracy and completeness of the application. It would always be your responsibility to maintain the accuracy of your application. Failure to do so would be a sufficient basis for denial of a safety approval application.

Section 414.41 proposes the requirements for maintaining the accuracy of an application after we issue a safety approval.

You could amend or supplement a safety approval application anytime before we issue or transfer a safety approval.

Subpart C—Issuance of a Safety Approval

Section 414.27 What are the technical criteria for issuing a safety approval?

The FAA considers that any of the following may provide an adequate basis on which we can issue a safety approval; however, each case must be assessed individually before we can conclude that a proposed system or service is suitable and eligible for a safety approval. While government and industry standards are focused on design and manufacture, a safety approval is based on whether the proposed use satisfies launch safety criteria (risk acceptability). Even if a

standard is satisfied, a safety approval may not result because the proposed use does not satisfy risk acceptability specified in FAA regulations. In identifying and assessing suitable criteria, we would apply the following hierarchy:

- (1) FAA or other appropriate Federal regulations,
- (2) Government-developed or adopted standards,
- (3) Industry consensus performance-based criteria or standard, and finally
- (4) Applicant-developed criteria.

Government-Developed Standard

Government-developed standard means a standard developed by a government agency other than the FAA's Commercial Space Transportation office. Examples of acceptable Government-developed standards are MIL-STD-1522B "Design and Operations of Pressurized Missile and Space Systems," DoD-E-83578, MIL-STD-1576, and MIL-I-23659 that define in detail the necessary verifications for ordnance items in safety critical applications.

Industry Consensus Standard

Consensus standard means, for the purpose of a safety approval, an industry-developed consensus performance standard that addresses these four topics.

(1) Design and performance. The consensus standard would govern systems, system components, parts design, and minimum performance. An example of a commonly used design and performance standard for pressurized space systems is AIAA S-080-1998. The safety approval applicant also may choose to use other nationally recognized design and performance standards for the consensus standards.

(2) Quality assurance. The consensus standard would govern the necessary quality assurance system requirements used in the manufacture of systems, system components, and parts. The standard would establish quality assurance procedures for manufacturing the individual system, system component, or part so that they meet minimum safety standards and are built as intended.

(3) Production acceptance. The consensus standard would govern the necessary characteristics of the production acceptance test specifications used in manufacturing systems, system components, and parts. A suitable standard would identify the required final product acceptance test procedures that ensure a completed product is safe and performs as intended.

(4) Safety monitoring. The consensus standard would govern the characteristics of the manufacturer's continued operational safety monitoring system. The consensus standard would establish reference system requirements for monitoring and correcting safety issues. A suitable standard would include a process by which systems, system components, and parts users would be told of instances that prevent hazards to safety and the corrective action. In addition, it would identify processes that would ensure manufacturers learn about problems experienced in servicing of systems, systems components, and parts.

A suitable consensus standard would also establish the procedures by which the industry reviews and updates the consensus standards.

Applicant-Developed Criteria

Applicant-developed criteria are performance criteria developed or customized by the manufacturer intending to produce the system, system component, or part. The applicant-developed criteria should define:

- (1) Design and minimum performance,
- (2) Quality assurance system requirements,
- (3) Production acceptance test specifications, and
- (4) Continued operational safety monitoring system characteristics.

FAA would make the proposed applicant-developed criteria available to the public as part of the approval process. We would seek public comment on the acceptability and adequacy of the criteria as a proposed performance standard for issuing a safety approval. The FAA would not accept an application for a safety approval unless a suitable criterion exists or could be determined, and that criterion could be made public. The FAA does not propose to develop or issue standards. We would merely propose the criteria to evaluate an item for which an applicant seeks a safety approval.

FAA Review of Criteria

The FAA would base its determinations for safety approvals on performance standards that allow the FAA to find that a launch or reentry may be conducted with the safety-approved element under existing licensing criteria and safety standards. Technical criteria designed to achieve FAA safety requirements may exist elsewhere in other Government directives, such as EWR-127-1. Sometimes, there may be no detailed written Government standard, but

Federal launch ranges have followed a clear practice that launch participants accept as "de facto" standards. The FAA would rely on historical practice where it has been shown to protect public health and safety and the safety of property.

Section 414.29 What are the terms and conditions of a safety approval?

The FAA would issue safety approvals to those applicants who meet all the requirements under this chapter. The scope of the approval would depend on the scope of the demonstration. Where necessary, we would determine specific terms and conditions of a safety approval individually, consistent with the intended use of the safety-approved launch or reentry element. Those terms and conditions would include reporting requirements. Reporting requirements would be similar to those for licenses. They would be tailored to the particular safety approval. For example, a safety approval holder who manufactures a component might be required to report the results of quality assurance testing. The holder of a safety approval would be required to report major failures of the system when used in a non-FAA licensed activity.

We would grant safety approvals for five years, consistent with the current license term for launch and reentry operator licenses, subject to renewal. We considered granting safety approvals for an indefinite period of time. However, even though the holder of the safety approval is required to maintain the accuracy of its application, it is possible for changes to occur that might affect the safety approval. Five years is a reasonable interval in which to examine the approval to ensure that changes have been accurately reflected in the application and that external factors (for example, a modified standard) have not negated the grounds on which we granted the approval.

The license applicant might discover during the licensing process that changes have occurred invalidating the safety approval. A five-year renewal for a safety approval makes such an unexpected discovery less likely. In addition, the FAA and industry would gain experience during the five-year term of safety approval that could make modifying the safety approval advisable. Therefore, FAA believes that a formal reaffirmation of the currency of the information in the application provides an opportunity for the safety approval holder to review its system or service and report any changes that might have gone unreported. The FAA could then evaluate the changes to ensure the safety

approval remains valid and make any changes that might be required to the terms and conditions of the safety approval.

Because a safety approval has no meaning independent of its use in facilitating the FAA licensing process, there would always be an opportunity to affirm its continued validity during the licensing review process. Also, because the holder of a safety approval would be required to maintain the currency of information in its application for the approval, the approval would only be valid for the representations made in the completed application. FAA would have to approve material changes for the safety approval to remain valid with those changes.

Section 414.31 How would I incorporate a safety approval into a license application?

The launch or reentry license applicant would need to reference the safety approval and show that its use in the launch of the particular launch vehicle or the reentry of a particular reentry vehicle falls within the parameters for which the safety approval was granted. The FAA would expect that, in arranging to obtain hardware, processes, or services, the license applicant would be in contact with the holder of the safety approval. The license applicant could obtain detailed information, including proprietary information from the safety approval holder, in order to verify that the proposed use falls within the safety approval parameters. We would not make the proprietary data included in your application public.

Section 414.33 What is the procedure when the FAA denies a safety approval application or the transfer of a safety approval or suspends, modifies, or revokes a safety approval?

First, we would tell you, in writing, that we have denied your safety approval application or request to transfer a safety approval or that we have suspended, modified, or revoked your safety approval and state the reasons.

You may try to correct any deficiencies identified by the FAA and request reconsideration of the revised application or of the FAA action to suspend, modify, or revoke your safety approval.

You may also apply for administrative review of a denial in the same manner that an applicant for a license and a proposed transferee of a license or an owner or operator of a payload may currently apply for a determination under Part 406.

Section 414.35 How do I renew a safety approval?

The safety approval holder could apply for a renewal of the safety approval just as a licensee can apply for a renewal of a license. You should submit the renewal application at least 90 days before the approval's expiration date. The application may reference information contained in the original application as part of the renewal application. You should describe any proposed changes.

Section 414.37 How is compliance with the terms and conditions of a safety approval monitored?

To maintain the validity of a safety approval, a safety approval holder would have to allow access by and cooperate with Federal officers or employees or other individuals authorized by the FAA, to observe safety-approved activities. These activities include manufacturing, production, testing facilities, or assembly sites used by a safety approval holder or any contractor in the production, assembly, or testing of a launch or reentry vehicle or a safety system associated with the launch or reentry of such a vehicle. Officials might also observe a safety-approved process or service, including training programs and personnel qualifications.

We considered the need for monitoring activities related to safety approvals. We have authority to monitor these types of activities when they are associated with FAA licensed launch, reentry, or site operations. However, we have not monitored these activities absent a license. Although activities performed before issuing a license might be critical to safety, the FAA has relied solely on post-licensing monitoring. We verify the satisfactory performance of any safety critical activities before issuing a license. However, we believe that a safety approval is a different situation. By voluntarily obtaining a safety approval, the approval holder would set itself up to offer hardware, processes, or services to others, and become a contractor to a licensee. By monitoring these activities, as necessary, we would be provided some assurance about the continued validity of the safety approval. Therefore, there would be a benefit to the holder and to the potential user under a licensed activity.

Section 414.39 How would the FAA modify, suspend or revoke a safety approval?

Modifying a Safety Approval

Safety approval modifications could occur in two ways.

- The safety approval holder applies to the FAA to modify the safety approval.
- FAA initiates the modification when it finds the modification is consistent with the requirements of the Act.

Any modification made under this section would take effect immediately and continue in effect during any review of the action under part 406 of these regulations.

Suspending or Revoking a Safety Approval

Conditions could arise when the FAA would suspend or revoke a safety approval issued under this chapter. The following list gives examples of those conditions:

- Safety approval holder fails to comply with any requirement of the Act.
- Safety approval holder fails to comply with any regulation issued under the Act.
- Safety approval holder fails to comply with a term or condition of the safety approval or any other applicable requirement.
- Public health and safety or safety of property so requires.

Any modification made under this section would take effect immediately and continue in effect during any review of the action.

Whenever the FAA would take any action under this section, we would immediately tell you in writing of our finding and the action that we have taken or propose to take on such finding.

Section 414.41 How do I maintain the continued accuracy of the application that supports a safety approval and modify a safety approval?

Once you hold a safety approval for a system or service, you would be responsible for maintaining the accuracy of representations contained in the safety approval application for the entire term of the safety approval. If you make material changes in the safety-approved system or service that could affect public health and safety or safety of property, you would have to apply to the FAA to modify the safety approval.

The FAA anticipates that safety approval holders would upgrade their systems and services. As technology changes, the safety-approved system or

service is likely to change. However, you would prepare and submit an application to modify a safety approval following § 414.17 of this chapter. You would have to point out any part of your safety approval application that would be changed or affected by a proposed modification.

We would determine whether the safety approval remains valid because of a proposed modification. We would approve a modification that satisfies the requirements set forth in this part. On approval of a modification, we would issue you a written approval stating terms or conditions of the safety approval that are changed, added, or deleted.

Section 414.43 *For how long do I maintain any safety approval records?*

The FAA considers maintaining the history of a safety approval necessary. Therefore, it would require you to maintain all records necessary to verify that activities are conducted following representations contained in the application for the valid period of the safety approval, plus one year. The valid period would include the original term of the safety approval, plus all renewal periods. Of course, you may not be aware of all licenses that use a particular safety approval. Hence, you should seek advice from the FAA before disposing of any records for an expired safety approval.

Section 414.45 *How would I transfer a safety approval?*

Either the current holder or the prospective transferee could request the FAA to transfer a safety approval provided the other party agrees to the transfer and that the prospective transferee meets the eligibility criteria for a safety approval.

There may be cases when such a transfer is justified. For example, one company may acquire some or all of the assets of another company. You would need to submit a safety approval application following § 414.17 and meet the requirements of § 414.27. You may incorporate by reference any relevant portions of the application that resulted in the safety approval whose transfer you seek. We would transfer a safety approval to an applicant who has obtained all the approvals and determinations required under this chapter for a safety approval. In conducting its reviews and issuing approvals and determinations, the FAA may incorporate by reference any findings made as part of the record to support the initial safety approval determination. We might modify a safety approval to reflect any changes

necessary because of a safety approval transfer.

Section 414.47 *How will FAA make public the criteria by which a safety approval was issued?*

Because the FAA proposes to issue safety approvals individually, we believe it is important to inform the public of the basis for issuing a specific safety approval.

The FAA will publish in the **Federal Register** its intent to use certain performance-based criteria in granting a safety approval and its reasons for accepting it. Where the criteria include a commonly known industry standard, the public can request a copy of the standard from the sponsoring entity, for example, American Institute of Aeronautics and Astronautics (AIAA), American Society for Testing and Materials (ASTM), and American Society of Mechanical Engineers (ASME). Publication of the criteria is for information only, and not for comment; the public may write the FAA and offer suggestions.

Paperwork Reduction Act

Information collection requirements associated with this NPRM have been approved previously by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)) and have been assigned OMB Control Numbers 2120–0608 and 2120–0643. These approvals are applicable because this NPRM merely permits consideration of a portion of the activity covered by the cited documents. In other words, a part of the information required for FAA-licensed activity is collected for the safety approval and does not need to be collected again as part of the license application.

International Compatibility

In keeping with U.S. obligations under the Convention on International Civil Aviation, it is FAA policy to comply with International Civil Aviation Organization (ICAO) Standards and Recommended Practices to the maximum extent practicable. The FAA has determined that there are no ICAO Standards and Recommended Practices that correspond to these proposed regulations.

Executive Order 12866 and DOT Regulatory Policies and Procedures

Executive Order 12866, Regulatory Planning and Review, directs the FAA to assess both the costs and the benefits of a regulatory change. We are not allowed to propose or adopt a regulation unless we make a reasoned

determination that the benefits of the intended regulation justify the costs. Our assessment of this rulemaking indicates that its economic impact is minimal because safety approvals under the proposed rulemaking are not mandatory so there would be no costs imposed on industry. The FAA anticipates that launch license applicants would only pursue a safety approval if they believe they can save money by using a safety approval. If not they would continue to obtain approval through the licensing determination. The proposed rule might result in slight costs to the government, but more likely it would result in government cost savings.

Because the costs and benefits of this action do not make it a “significant regulatory action” as defined in the Order, we have not prepared a “regulatory evaluation,” which is the written cost/benefit analysis ordinarily required for all rulemaking under the DOT Regulatory Policies and Procedures. We do not need to do a full evaluation where the economic impact of a rule is minimal.

Economic Assessment, Regulatory Flexibility Determination, Trade Impact Assessment, and Unfunded Mandates Assessment

Proposed changes to Federal regulations must undergo several economic analyses. First, Executive Order 12866 directs each Federal agency shall propose or adopt a regulation only upon a reasoned determination that the benefits of the intended regulation justify its costs. Second, the Regulatory Flexibility Act of 1980 requires agencies to analyze the economic impact of regulatory changes on small entities. Third, the Trade Agreements Act (19 U.S.C. 2531–2533) prohibits agencies from setting standards that create unnecessary obstacles to the foreign commerce of the United States. In developing U.S. standards, this Trade Act requires agencies to consider international standards and, where appropriate, that they be the basis of U.S. standards. Fourth, the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4) requires agencies to prepare a written assessment of the costs, benefits, and other effects of proposed or final rules that include a Federal mandate likely to result in the expenditure by State, local, or tribal governments, in the aggregate, or by the private sector, of \$100 million or more annually (adjusted for inflation).

The Department of Transportation Order DOT 2100.5 prescribes policies and procedures for simplification, analysis, and review of regulations. If it

is determined that the expected cost impact is so minimal that a proposal does not warrant a full evaluation, this order permits a statement to that effect and the basis for it be included in the preamble and a full regulatory evaluation need not be prepared.

The 1998 amendments to the Commercial Space Launch Act of 1984 added authority for establishing procedures for "safety approvals" of launch vehicles, reentry vehicles, safety systems, processes, services, or personnel that may be used in conducting licensed commercial space launch or reentry activities. (See Commercial Space Launch Act of 1998, Pub. L. 105-303.) This rulemaking would establish those procedures. The rule would enable license applicants to use safety-approved elements for proposed launch or reentry activities without having to resubmit certain information. The existence of a safety approval could streamline the licensing process. The proposed rule would define the requirements for obtaining these voluntary safety approvals.

A key element of the proposed rule is that the safety approvals are strictly elective. A safety approval would enable the U.S. commercial space transportation industry to select "approved" systems, processes, services, and personnel, possibly reducing the information required for a license application. Because safety approvals under the proposed rulemaking are not mandatory, the FAA anticipates that applicants would only pursue a safety approval if they believed the benefits outweighed the costs.

The proposal does not impose costs on the license applicant, because the applicant is free to continue to obtain approval through the licensing determination. There might be cost savings to license applicants because the cost of using safety-approved elements could be less than the cost the licensee might incur in seeking approval directly through the licensing determination. This is because a safety approval could be used for multiple launch licenses without added FAA approval of that portion of the license application other than an evaluation of its intended use relative to the proposed activity.

The proposed rule might result in additional cost to the Federal government. This might occur if a company obtains a safety approval from the FAA, but does not use it. In this case, the FAA would have spent the time for naught in issuing the safety approval. The FAA expects this to be unlikely, as companies would not seek to obtain safety approvals unless the

likelihood of selling their approved product to a licensee is very high.

On the other hand, the proposed rule might result in cost savings to the government. If the safety approval is used for several licenses, then the FAA could apply findings related to safety approvals to different license applicants proposing to use the approved element.

In view of the possible minor additional cost to the Federal government of the proposed rule and the anticipated benefits of the rule, the FAA has determined that the proposed rule would be cost-justified. Since this proposed rule is voluntary, the expected outcome would be to have a minimal impact with positive net benefits, and a regulatory evaluation was not prepared. The FAA requests comments with supporting justification regarding the FAA determination of minimal impact.

Regulatory Flexibility Determination

The Regulatory Flexibility Act of 1980 (RFA) establishes "as a principle of regulatory issuance that agencies shall endeavor, consistent with the objective of the rule and of applicable statutes, to fit regulatory and informational requirements to the scale of the business, organizations, and governmental jurisdictions subject to regulation." To achieve that principle, the RFA requires agencies to solicit and consider flexible regulatory proposals and to explain the rationale for their actions. The RFA covers a wide-range of small entities, including small businesses, not-for-profit organizations and small governmental jurisdictions.

Agencies must perform a review to determine whether a proposed or final rule will have a significant economic impact on a substantial number of small entities. If the agency determines that it will, the agency must prepare a regulatory flexibility analysis as described in the RFA.

However, if an agency determines that a proposed or final rule is not expected to have a significant economic impact on a substantial number of small entities, section 605(b) of the RFA provides that the head of the agency may so certify and a regulatory flexibility analysis is not required. The certification must include a statement providing the factual basis for this determination, and the reasoning should be clear.

The proposed rule does not impose costs on industry because it establishes a wholly voluntary process as an alternative to the current licensing process. Consequently, the FAA certifies that the rule will not have a significant economic impact on a substantial number of small entities.

Trade Impact Assessment

The Trade Agreement Act of 1979 prohibits Federal agencies from establishing any standards or engaging in related activities that create unnecessary obstacles to the foreign commerce of the United States. Legitimate domestic objectives, such as safety, are not considered unnecessary obstacles. The statute also requires consideration of international standards and, where appropriate, that they be the basis for U.S. standards. The FAA has assessed the potential effect of this proposed rule and determined that since it would not impose standards on industry and because it establishes a wholly voluntary program, it would not create an unnecessary obstacle to the foreign commerce of the United States.

Unfunded Mandates Assessment

The Unfunded Mandates Reform Act of 1995 (the Act) is intended, among other things, to curb the practice of imposing unfunded Federal mandates on State, local, and tribal governments. Title II of the Act requires each Federal agency to prepare a written statement assessing the effects of any Federal mandate in a proposed or final agency rule that may result in an expenditure of \$100 million or more (adjusted annually for inflation) in any one year by State, local, and tribal governments, in the aggregate, or by the private sector; such a mandate is deemed to be a "significant regulatory action." The FAA currently uses an inflation-adjusted value of \$120.7 million in lieu of \$100 million.

This proposed rule does not contain such a mandate. The requirements of Title II do not apply.

Executive Order 13132, Federalism

The FAA has analyzed this proposed rule under the principles and criteria of Executive Order 13132, Federalism. We determined that this action would not have a substantial direct effect on the States, on the relationship between the national Government and the States, or on the distribution of power and responsibilities among the various levels of government, and therefore would not have federalism implications.

Plain English

Executive Order 12866 (58 FR 51735, Oct. 4, 1993) requires each agency to write regulations that are simple and easy to understand. We invite your comments on how to make these proposed regulations easier to understand, including answers to questions such as the following:

- Are the requirements in the proposed regulations clearly stated?

- Do the proposed regulations contain unnecessary technical language or jargon that interferes with their clarity?
- Would the regulations be easier to understand if they were divided into more (but shorter) sections?
- Is the description in the preamble helpful in understanding the proposed regulations?

Please send your comments to the address specified in the **ADDRESSES** section.

Environmental Analysis

FAA Order 1050.1E identifies FAA actions that are categorically excluded from preparation of an environmental assessment or environmental impact statement under the National Environmental Policy Act in the absence of extraordinary circumstances. The FAA has determined this proposed rulemaking action qualifies for the categorical exclusion identified in paragraph 308b and involves no extraordinary circumstances.

Regulations That Significantly Affect Energy Supply, Distribution, or Use

The FAA has analyzed this NPRM under Executive Order 13211, Actions Concerning Regulations that Significantly Affect Energy Supply, Distribution, or Use (May 18, 2001). We have determined that it is not a “significant energy action” under the executive order because it is not a “significant regulatory action” under Executive Order 12866, and it is not likely to have a significant adverse effect on the supply, distribution, or use of energy.

List of Subjects in 14 CFR Part 414

Airspace, Aviation safety, Space transportation and exploration.

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Chapter I of Title 14, Code of Federal Regulations, as follows:

PART 414—SAFETY APPROVALS

1. Add part 414 to read as follows.

Subpart A—General

Sec.

- 414.1 What is the basis and scope of this rule?
- 414.3 To what does this rule apply?
- 414.5 What is a safety approval?
- 414.7 Who must obtain a safety approval?
- 414.9 Who may apply for a safety approval?
- 414.11 What rights are not conferred by a safety approval?

Subpart B—Safety Approval Application

- 414.13 What is the pre-application process?

- 414.15 How will the FAA determine whether something is eligible and suitable for a safety approval?
- 414.17 How do I prepare an application?
- 414.19 How can I assure confidentiality of the information I submit on a safety approval application?
- 414.21 How does the FAA handle an initial application?
- 414.23 Is there a specified timeframe for the review period?
- 414.25 How do I maintain the continued accuracy of my application and provide supplemental information or amendments?

Subpart C—Issuance of a Safety Approval

- 414.27 What are the technical criteria for a safety approval?
- 414.29 What are the terms and conditions of a safety approval?
- 414.31 How would a license applicant incorporate a safety approval into a launch or reentry license application?
- 414.33 What is the procedure when the FAA denies a safety approval application or renewal application or the request to transfer a safety-approval or suspends, modifies, or revokes a safety approval?
- 414.35 How do I renew a safety approval?
- 414.37 How is compliance with the terms and conditions of a safety approval monitored?
- 414.39 How would the FAA modify, suspend, or revoke a safety approval?
- 414.41 How do I maintain the continued accuracy of the application that supports a safety approval and modify an approval?
- 414.43 How long do I maintain any safety approval records?
- 414.45 How would I transfer a safety approval?
- 414.47 How will FAA make public the criteria by which a safety approval was issued?

Authority: 49 U.S.C. 106(g), 40113, 44701.

Subpart A—General

§ 414.1 What is the basis and scope of this rule?

This part establishes procedures for obtaining a safety approval. These procedures apply to applications for obtaining a safety approval, transfer of an existing safety approval, and renewal of an existing safety approval. Safety approvals issued under this part may be used to support the application review for one or more launch or reentry license requests under other parts of this chapter. A safety approval is limited to approved use within a defined envelope. It is not an approval to conduct a licensable activity.

§ 414.3 To what does this rule apply?

This part applies to an applicant seeking to obtain a safety approval. That safety approval may be for a launch vehicle, reentry vehicle, safety system, process, service, or personnel for use in conducting a licensed launch of a

launch vehicle, including a reusable launch vehicle (RLV) mission, or the reentry of a reentry vehicle.

§ 414.5 What is a safety approval?

In this part, “Safety approval” means the FAA has determined that a licensed launch or reentry using a launch vehicle, reentry vehicle, safety system, process, service, or personnel approved under this part, when used as approved within a defined envelope, will not jeopardize public health and safety or the safety of property.

§ 414.7 Who must obtain a safety approval?

No one is required to obtain a safety approval.

§ 414.9 Who may apply for a safety approval?

Anyone may apply for a safety approval.

§ 414.11 What rights are not conferred by a safety approval?

(a) A safety approval does not confer any authority to conduct activities for which a license is required under 14 CFR chapter III.

(b) A safety approval does not relieve its holder of the duty to comply with all applicable requirements of law or regulation that may apply to the holder's activities.

Subpart B—Safety Approval Application

§ 414.13 What is the pre-application process?

You must consult with the FAA before submitting an application. At a minimum, consultation consists of oral discussion with the FAA about the application process and potential issues relevant to the FAA's safety approval decision.

§ 414.15 How will the FAA determine whether something is eligible and suitable for a safety approval?

(a) *Applicant.* Any eligible person may apply to be the holder of a safety approval. There is no citizenship requirement for a safety approval.

(b) You may be eligible for a safety approval if you are—

- (1) A manufacturer of a launch or reentry vehicle or component;
- (2) The designer/developer of a safety system or process;
- (3) Personnel who perform safety critical functions in conducting a licensed launch or reentry.

(c) You must have sufficient knowledge and expertise with the launch vehicle, reentry vehicle, safety system, process, service, or personnel for which safety approval is sought to

show that its design and operation qualify for a safety approval.

(d) You may seek a safety approval from the FAA for a launch vehicle, reentry vehicle, safety system, process, service, or personnel.

(e) *Criteria.* The FAA will determine individually whether a launch vehicle, reentry vehicle, safety system, process, service, or personnel proposed is eligible for and may be issued a safety approval. We will base our determination on performance-based criteria, such as existing government or industry standards, government specifications, or other proposed criteria against which we may assess the effect on public health and safety and safety of property of a licensed launch or reentry that relies in whole or in part on a safety-approved element.

§ 414.17 How do I prepare an application?

(a) *Form.* Your application must be in writing, in English, and filed in duplicate with the Federal Aviation Administration, Associate Administrator for Commercial Space Transportation, AST-300, Room 331, 800 Independence Avenue, SW., Washington, DC 20591. Attention: System Engineering and Training, Safety Approval Application Review.

(b) *Administrative information.* Your application must identify the following:

- (1) The name and address of the applicant,
- (2) The name, address, and telephone number of any person to whom inquiries and correspondence should be directed, and
- (3) The launch vehicle, reentry vehicle, safety system, process, service, or personnel for which you are applying for a safety approval.

(c) *Technical information.* Your application must—

- (1) Contain a Statement of Conformance letter showing compliance to specific criteria to which you propose to show the adequacy of the proposed launch vehicle, reentry vehicle, safety system, process, service, or personnel;
- (2) Specify the operating limits for which the safety approval is sought;
- (3) Provide the following, as applicable:

(i) Information and analyses required by any AST licensing regulation that might be applicable to demonstrating safe performance of the item for which the safety approval is sought,

(ii) Engineering design and analyses that show the adequacy of the proposed system for its intended use, such that the use in a licensed launch or reentry will not jeopardize public health or safety or the safety of property,

(iii) Relevant manufacturing processes,

- (iv) Test and evaluation procedures,
- (v) Test results,
- (vi) Maintenance procedures, and
- (vii) Personnel qualifications and training procedures.

(d) *Signature and certification of accuracy.* Your application must be legibly signed, dated, and certified as true, complete, and accurate by one of the following:

(1) *For a corporation:* An officer authorized to act for the corporation in licensing matters.

(2) *For a partnership or a sole proprietorship:* A general partner or proprietor, respectively.

(3) *For a joint venture, association, or other entity:* An officer or other individual duly authorized to act for the joint venture, association, or other entity in licensing matters.

§ 414.19 How can I assure confidentiality of the information I submit on a safety approval application?

(a) When you provide information or data to the FAA, you may request in writing that trade secrets or proprietary commercial or financial data be treated as confidential. You must make this request at the time you submit the information or data and state the period of time you require confidential treatment.

(b) Mark information or data for which you require confidentiality with an identifying legend, such as “Proprietary Information,” “Proprietary Commercial Information,” “Trade Secret,” or “Confidential Treatment Requested.” Where this marking proves impracticable, attach a cover sheet containing the identifying legend to the information or data for which you are seeking confidential treatment.

(c) If you request confidential treatment for previously submitted information or data, the FAA will honor that request to the extent practicable in case of any prior distribution of the information or data.

(d) Information or data for which you have requested confidential treatment or information or data that qualifies for exemption under section 552(b)(4) of Title 5, United States Code, will not be disclosed to the public unless the Associate Administrator determines that withholding the information or data is contrary to the public or national interest.

(e) If the proposed criteria for evaluating a safety approval is secret, as classified by the U.S. Government, or you want it to remain proprietary or confidential, it cannot be used as a basis for issuance of safety approval.

§ 414.21 How does the FAA handle an initial application?

(a) The FAA will initially screen an application to determine whether the application is for a safety approval of a launch vehicle, reentry vehicle, safety system, process, service, or personnel. We will then determine if there are existing performance-based criteria, standards, or accepted practices that provide a satisfactory basis for issuing a safety approval.

(b) After completing the initial screening, the FAA tells you, in writing, of one of the following:

(1) The submitted material makes up a substantially complete application package. The notice will state that we recognize the item as eligible for a safety-approval and that an acceptable performance-based criteria, standard, or accepted practice exists against which an application may be evaluated. The application is accepted and the FAA will begin the reviews or evaluations required for a safety approval determination under this chapter.

(2) The application is so incomplete or vague that beginning the reviews or evaluations required for a safety approval determination under this chapter is inappropriate, and the application is rejected. The notice will state the reason(s) for rejection and corrective actions necessary for the application to be accepted. The FAA may return a rejected application to the applicant or may hold it until the applicant provides more information. If your safety approval application is denied, you may try to correct any deficiencies identified by the FAA and request reconsideration of the revised application.

§ 414.23 Is there a specified timeframe for the review period?

There are no review period deadlines for issuance or denial of a safety approval.

§ 414.25 How do I maintain the continued accuracy of my application and provide supplemental information or amendments?

(a) You are responsible for the continuing accuracy and completeness of information provided to the FAA as part of a pending safety approval application. Whenever information you provided as part of a safety approval application is no longer accurate and complete in all material respects, you must submit a statement providing the new or corrected information. As part of the submission, you must recertify the accuracy and completeness of the amended application under section 414.17. Failure to comply with any of the requirements set forth in this

paragraph is a sufficient basis for denial of a safety approval application.

(b) You may amend or supplement a safety approval application anytime before issuance or transfer of a safety approval.

Subpart C—Issuance of a Safety Approval

§ 414.27 What are the technical criteria for a safety approval?

In identifying and assessing appropriate criteria, the FAA would apply the following hierarchy:

(a) FAA or other appropriate Federal regulations,

(b) Government-developed or adopted standards,

(c) Industry consensus performance-based criteria or standard, and

(d) Applicant-developed criteria.

Applicant-developed criteria are performance standards customized by the manufacturer who intends to produce the system, system component, or part. The applicant-developed criteria must define:

(1) Design and minimum performance,

(2) Quality assurance system requirements,

(3) Production acceptance test specifications, and

(4) Continued operational safety monitoring system characteristics.

You must agree to allow the FAA to make your proposed safety approval criteria available to the public as part of the approval process.

§ 414.29 What are the terms and conditions of a safety approval?

(a) The FAA issues a safety approval to an applicant who has met all the requirements under this chapter.

(b) The scope of the approval will be limited by the scope of the safety demonstration.

(c) The FAA will determine specific terms and conditions of a safety approval individually, limiting the safety approval to the parameters for which the safety-approved launch or reentry element was approved. The terms and conditions would include reporting requirements tailored to the individual safety approval.

(d) A safety approval is valid for five years and may be renewed.

§ 414.31 How would a license applicant incorporate a safety approval into a launch or reentry license application?

(a) When applying for a license under Part 413, an applicant must identify any safety approval for a launch vehicle, reentry vehicle, safety system, process, service, or personnel that you propose to use as part of your proposed licensable activity.

(b) The applicant must show that the proposed use of the safety-approved element is consistent with the scope of the safety approval issued by the FAA. The applicant must demonstrate that any alteration in its use does not negate the applicability of the safety-approved element to your intended use of it.

(c) The applicant must certify that you plan to use the safety-approved element in accordance with any terms and conditions of the safety approval issued by the FAA.

(d) Consistent with this section the FAA will rely on a safety approval in its evaluation of a license application, thereby relieving the license applicant of certain regulatory burdens associated with launch and reentry licensing.

§ 414.33 What is the procedure when the FAA denies a safety approval application or renewal application or the request to transfer a safety-approval or suspends, modifies, or revokes a safety approval?

(a) The FAA tells you, in writing, if your safety approval application or the request to transfer a safety approval has been denied or if the FAA has suspended, modified, or revoked a safety approval and states the reasons.

(b) If your safety approval application is denied, you may try to correct any deficiencies identified by the FAA and request reconsideration of the revised application. You could try to correct any deficiencies identified by the FAA and request reconsideration of the revised application or of the FAA action to suspend, modify, or revoke your safety approval.

(c) The following would be entitled to a determination on the record after an opportunity for a hearing.

(1) An applicant for a safety approval or a safety approval renewal or a proposed transferee of a safety approval under this part regarding any decision to issue or transfer a safety approval with conditions or to deny the issuance or transfer of such safety approval.

(2) A holder of a safety approval regarding any decision to suspend, modify, or revoke a safety approval.

(d) An administrative law judge will be designated to preside over any hearing held under this part.

(e) Submissions and oral presentations would follow the procedures outlined in § 406.3.

(f) The administrative law judges recommended decision would follow the procedures outlined in § 406.5.

§ 414.35 How do I renew a safety approval?

(a) *Eligibility.* If you hold a safety approval, you may apply to renew it by submitting to the FAA a written application for renewal of the approval

at least 90 days before the expiration date of the approval.

(b) *Application.* (1) A safety approval renewal application must satisfy the requirements set forth in this part and any other applicable part of this chapter.

(2) The application may incorporate by reference information provided as part of the application for the expiring safety approval or any modification to that approval.

(3) You must describe any proposed changes in the conduct of safety-approved systems or services and provide any added information necessary to support the fitness of the proposed changes to meet the criteria upon which we evaluated the safety approval.

(c) *Review of application.* The FAA conducts the reviews required under this chapter to determine whether the applicant's safety approval may be renewed for another five-year term. We may incorporate by reference any findings that are part of the record for the expiring safety approval.

(d) *Grant of safety approval renewal.* After the FAA completes the reviews required by this chapter for a safety approval and makes a safety approval determination, we issue an order amending the expiration date of the safety approval or a new approval. The FAA may impose added or revised terms and conditions necessary to protect public health and safety and the safety of property.

(e) *Denial of a safety approval renewal.* Section 414.33 of this chapter details procedures when the FAA denies a safety approval renewal.

§ 414.37 How is compliance with the terms and conditions of a safety approval monitored?

Each safety approval holder must allow access by and cooperate with Federal officers or employees or other individuals authorized by the Associate Administrator to view safety-approved activities. These activities include manufacturing, production, testing facilities, or assembly sites used by a safety approval holder or any contractor in the production, assembly, or testing of a launch or reentry vehicle or a safety system associated with the launch or reentry of such a vehicle. Officials may also view a modular safety-approved process or service, including training programs and personnel qualifications.

§ 414.39 How would the FAA modify, suspend, or revoke a safety approval?

(a) Upon application by a safety approval holder or on the FAA's own initiative, we may modify a safety approval issued under this chapter if we

find the modification is consistent with the requirements of the Act.

(b) If the FAA finds that a safety approval holder has substantially failed to comply with any requirement of the Act, any regulation issued under the Act, the terms and conditions of a safety approval, or any other applicable requirement, or that public health and safety or the safety of property so require, we may suspend or revoke a safety approval issued to that holder under this chapter.

(c) Unless otherwise stated by the FAA, any modification, suspension, or revocation we make under this section—

(1) Takes effect immediately; and

(2) Continues in effect during any review of such action under Part 406 of these regulations.

(d) Whenever the FAA takes any action under this section, we immediately tell you in writing of our finding and the action that we have taken or propose to take on such finding.

§ 414.41 How do I maintain the continued accuracy of the application that supports a safety approval and modify an approval?

(a) You are responsible for the continued accuracy of representations contained in the safety approval application for the entire term of the safety approval.

(b) After a safety approval has been issued, you must apply to the FAA for modification of the safety approval if any representation contained in the

application that is material to public health and safety or safety of property would no longer be accurate and complete.

(c) Prepare and submit an application to modify a safety approval following § 414.17. You must point out any part of your license or license application that would be changed or affected by a proposed modification.

(d) The FAA reviews approvals and determinations required by this chapter to determine whether those approvals and determinations remain valid because of a proposed modification. The FAA approves a modification that satisfies the requirements set forth in this part.

(e) On approval of a modification, we issue you a written approval stating terms or conditions of the safety approval that are changed, added, or deleted.

§ 414.43 How long do I maintain any safety approval records?

You must maintain all records necessary to verify that activities are following representations contained in the application for the valid period of the safety approval plus one year.

§ 414.45 How would I transfer a safety approval?

(a) Only the FAA may transfer a safety approval.

(b) Either the safety approval holder or the prospective transferee may request that a safety approval be

transferred provided the other party agrees to the transfer.

(c) You need to submit a safety approval application under § 414.17 and meet the requirements of § 414.27. You may incorporate by reference relevant portions of the application that resulted in the safety approval transfer you seek.

(d) The FAA will transfer a safety approval to an applicant who has obtained all the approvals and determinations required under this chapter for a safety approval. In conducting its reviews and issuing approvals and determinations, the FAA may incorporate by reference any findings made part of the record to support the initial safety approval determination. The FAA may modify a safety approval to reflect any changes necessary because of a safety approval transfer.

§ 414.47 How will FAA make public the criteria by which a safety approval was issued?

FAA will publish in the **Federal Register** a notice of performance-based criteria that we intend to use to evaluate the safety approval application and describe the criteria.

Issued in Washington, DC, on May 24, 2005.

Patricia G. Smith,

Associate Administrator for Commercial Space Transportation.

[FR Doc. 05-10723 Filed 5-31-05; 8:45 am]

BILLING CODE 4910-13-P



Federal Register

**Wednesday,
June 1, 2005**

Part IV

Federal Retirement Thrift Investment Board

**5 CFR Parts 1600, 1601, et al.
Various Changes to the Thrift Savings
Plan; Final Rule**

FEDERAL RETIREMENT THRIFT INVESTMENT BOARD

5 CFR Parts 1600, 1601, 1604, 1605, 1606, 1620, 1640, 1645, 1650, 1651, 1653, 1655 and 1690

Various Changes to the Thrift Savings Plan

AGENCY: Federal Retirement Thrift Investment Board.

ACTION: Final rule.

SUMMARY: The Executive Director of the Federal Retirement Thrift Investment Board (Board) is amending the Thrift Savings Plan (TSP) regulations to accommodate new TSP lifecycle investment allocation funds, eliminate references to open seasons (which Congress repealed), and to require participants to file all death benefit beneficiary designation forms with the TSP record keeper. The Executive Director is also removing obsolete and unhelpful provisions from the regulations, eliminating references to TSP form numbers, notifying TSP participants of a new mailing address for loan payments, and otherwise making the regulations easier to understand.

DATES: These regulations are effective July 1, 2005.

FOR FURTHER INFORMATION CONTACT: Patrick J. Forrest on (202) 942-1661.

SUPPLEMENTARY INFORMATION: The Board administers the Thrift Savings Plan (TSP), which was established by the Federal Employees' Retirement System Act of 1986 (FERSA), Public Law 99-335, 100 Stat. 514. The TSP provisions of FERSA are codified, as amended, largely at 5 U.S.C. 8351 and 8401-79. The TSP is a tax-deferred retirement savings plan for Federal civilian employees and members of the uniformed services. The TSP is similar to cash or deferred arrangements established for private-sector employees under section 401(k) of the Internal Revenue Code (26 U.S.C. 401(k)).

On April 25, 2005, the Executive Director published this rule in proposed form in the **Federal Register** (70 FR 21290). The Board received no comments on the proposed rule. Therefore, the Executive Director is publishing the proposed rule as a final rule with several grammatical changes and the three amendments discussed below.

Section 1601.32 of the current TSP regulations concerns the timing of the TSP's implementation of participant contribution elections and interfund transfer requests (transaction requests). Proposed section 1601.32 would have

amended subsections (c) and (d) of that section. Subsection (c) explains how the TSP would process multiple transaction requests and subsection (d) explains how a participant could cancel a transaction request. The proposed amendments to those subsections would have simplified the text and removed from it references to TSP form numbers. Upon further consideration, the Executive Director has decided to remove subsections (c) and (d) from TSP regulations. The TSP processes transaction requests daily; therefore, participants have little opportunity to submit multiple transaction requests or to cancel transaction requests once they are submitted. Accordingly, the rules described in subsections (c) and (d) were unworkable.

Section 1605.14 of the current TSP regulations pertains to retirement system coverage errors that are corrected pursuant to the Federal Erroneous Retirement Coverage Corrections Act (FERCCA), Pub. L. No 106-265, title II, 114 Stat. 770. If a FERCCA correction involves retroactive TSP contributions, the participant is entitled to TSP investment earnings on all retroactive TSP contributions. Current section 1605.14(b)(5) refers to these investment earnings as "lost earnings," while the current TSP term for lost earnings is "breakage." The proposed rule amended subsection (b)(5) to use the correct term. However, upon review, the Executive Director decided to remove subsection (b)(5) from the final rule because it describes OPM policy and regulations, which are subject to change.

Current section 1651.14(g) explains that the TSP will abandon a death benefit payment if it returned as undeliverable to the TSP and the TSP cannot locate the beneficiary. Proposed section 1651.14(g) describes only one of several ways the TSP will attempt to locate the beneficiary although the TSP will attempt to locate the beneficiary by whatever means are appropriate under the circumstances. Therefore, final section 1651.14(g) simply states that the TSP will attempt to locate the beneficiary before abandoning the account.

Regulatory Flexibility Act

I certify that these regulations will not have a significant economic impact on a substantial number of small entities. They will affect only employees and former employees of the Federal Government.

Paperwork Reduction Act

I certify that these regulations do not require additional reporting under the

criteria of the Paperwork Reduction Act of 1980.

Unfunded Mandates Reform Act of 1995

Pursuant to the Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1532, the Agency has considered the effects of this regulation on state, local, and tribal governments and the private sector have been assessed. This regulation will not compel the expenditure in any one year of \$100 million or more by state, local, and tribal governments, in the aggregate, or by the private sector. Therefore, the Agency is not required to prepare a written statement regarding these regulations under 2 U.S.C. 1532.

Submission to Congress and the Government Accountability Office

Pursuant to 5 U.S.C. 810(a)(1)(A), the Board submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States before publication of this rule in the **Federal Register**. This rule is not a major rule as defined at 5 U.S.C. 814(2).

List of Subjects

5 CFR Parts 1600, 1601, 1606, 1620, 1645, 1650, 1651, 1653, 1690

Employment benefit plans, Government employees, Pensions, Retirement.

5 CFR Parts 1604, 1655

Employment benefit plans, Government employees, Military personnel, Pensions, Retirement.

5 CFR Part 1605

Administrative practice and procedure, Employment benefit plans, Government employees, Pensions, Retirement.

5 CFR Part 1640

Employment benefit plans, Government employees, Pensions, Reporting and recordkeeping requirements, Retirement.

Gary A. Amelio,

Executive Director Federal Retirement Thrift Investment Board.

■ For the reasons set forth in the preamble, the Board amends 5 CFR chapter VI as follows:

PART 1600—EMPLOYEE CONTRIBUTION ELECTIONS AND CONTRIBUTION ALLOCATIONS

■ 1. The authority citation for Part 1600 continues to read as follows:

Authority: 5 U.S.C. 8351, 8432(a), 8432(b), 8432(j), 8474(b)(5) and (c)(1).

- 1a. Revise the heading for part 1600 to read as set forth above.

Subpart B—Elections

§ 1600.11 [Amended]

- 2. Amend § 1600.11 by removing “TSP’s investment funds” from paragraph (b) and adding in its place “TSP Funds”.
- 3. Revise § 1600.12 to read as follows:

§ 1600.12 Contribution elections.

- (a) An employee may make a contribution election at any time.
- (b) A participant must submit a contribution election to his or her employing agency. To make an election, employees may use either the paper election form provided by the TSP, or, if available from their employing agency, electronic media. If an electronic medium is used, all relevant elements contained on the paper form must be included in the electronic medium.
- (c) A contribution election must:
- (1) Be completed in accordance with the instructions on the form, if a paper form is used;
 - (2) Be made in accordance with the employing agency’s instructions, if the submission is made electronically; and
 - (3) Not exceed the maximum contribution limitations described in § 1600.22.
- (d) A contribution election will become effective no later than the first full pay period after it is received by the employing agency.

§§ 1600.13 through 1600.18 [Removed]

- 4. Remove §§ 1600.13 through 1600.18.
- 5. Add a new § 1600.13 to read as follows:

§ 1600.13 Timing of agency contributions.

- (a) *Employees not previously eligible to receive agency contributions.* An employee appointed or reappointed to a position covered by FERS who had not been previously eligible to receive agency contributions is eligible to receive agency contributions under the following rules:
- (1) If the effective date of the appointment is any day during the period June 1 through November 30, the agency contributions must begin the first full pay period of the following June; and
 - (2) If the effective date of the appointment is any day during the period December 1 through May 31, the agency contributions must begin the first full pay period of the following December.
- (b) *Employees previously eligible to receive agency contributions.* An

employee reappointed to a position covered by FERS who was previously eligible to receive agency contributions is immediately eligible to receive agency contributions.

- 6. Add a new § 1600.14 to read as follows:

§ 1600.14 Effect of transfer to FERS.

- (a) If an employee appointed to a position covered by CSRS elects to transfer to FERS, the employee may make a contribution election at any time.
- (b) Eligibility to make employee contributions, and therefore to have agency matching contributions made on the employee’s behalf, is subject to the restrictions on making employee contributions after receipt of a financial hardship in-service withdrawal described at 5 CFR part 1650.
- (c) If the employee had elected to make TSP contributions while covered by CSRS, the election continues to be valid until the employee makes a new valid election.
- (d) Agency automatic (1%) contributions for all employees covered under this section and, if applicable, agency matching contributions attributable to employee contributions must begin the same pay period that the transfer to FERS becomes effective.

Subpart C—Program of Contributions

- 7. Revise § 1600.22 to read as follows:

§ 1600.22 Maximum contributions.

- (a) *Regular employee contributions.* A participant’s regular TSP contributions are subject the following limitations:
- (1) *FERS percentage limit.* The maximum employee contribution from basic pay for a FERS participant for 2005 is 15 percent. After 2005 the percentage of basic pay limit will not apply and the maximum contribution will be limited only by the provisions of the Internal Revenue Code (26 U.S.C.).
 - (2) *CSRS and uniformed services percentage limit.* The maximum employee contribution from basic pay for a CSRS or uniformed services participant for 2005 is 10 percent. After 2005 the percentage of basic pay limit will not apply and the maximum contribution will be limited only by the provisions of the Internal Revenue Code.
- (b) *Catch-up contributions.* (1) A participant may make tax-deferred catch-up contributions from basic pay at any time during the calendar year if he or she:
- (i) Is at least age 50 by the end of the calendar year;
 - (ii) Is making regular TSP contributions at a rate that will result in

the participant making the maximum regular contributions permitted under paragraph (a) of this section; and

- (iii) Does not exceed the annual limit on catch-up contributions contained in the Internal Revenue Code.

(2) Elections to make catch-up contributions will be separate from the participant’s regular contribution election.

(3) A participant who has both a civilian and a uniformed services account can make catch-up contributions to both accounts, but the total amount of the catch-up contributions to both accounts cannot exceed the Internal Revenue Code catch-up contribution limit for the year.

(4) Catch-up contributions are not eligible for matching contributions.

§ 1600.23 [Removed]

- 8. Remove § 1600.23.

PART 1601—[AMENDED]

- 9. Revise the Part 1601 Part Heading to read as follows:

PART 1601—PARTICIPANTS’ CHOICES OF TSP FUNDS

- 10. The authority citation for Part 1601 is revised to read as follows:

Authority: 5 U.S.C. 8351, 8438, 8474(b)(5) and (c)(1).

Subpart A—General

§ 1601.1 [Amended]

- 11. Amend § 1601.1 by removing “the F Fund, C Fund, S Fund or I” from paragraph (b) and by adding in its place “a TSP Fund other than the G”.

Subpart B—Investing Future Deposits

§ 1601.11 [Amended]

- 12. Amend § 1601.11 by removing “investment funds” wherever it appears and adding in its place “TSP Funds”.
- 13. Revise § 1601.12 to read as follows:

§ 1601.12 Investing future deposits in the TSP Funds.

(a) *Allocation.* Future deposits in the TSP, including contributions, loan payments, and transfers or rollovers from traditional IRAs and eligible employer plans, will be allocated among the TSP Funds based on the most recent contribution allocation on file for the participant.

(b) *TSP Funds availability.* All participants may elect to invest all or any portion of their deposits in any of the TSP Funds.

- 14. Amend § 1601.13 by revising paragraphs (a) and (b) to read as follows:

§ 1601.13 Elections.

(a) *Contribution allocation.* Each participant may indicate his or her choice of TSP Funds for the allocation of future deposits by using the TSP Web site or the ThriftLine, or by completing and filing the appropriate paper TSP form with the TSP record keeper in accordance with the form's instructions. The following rules apply to contribution allocations:

(1) Contribution allocations must be made in one percent increments. The sum of the percentages elected for all of the TSP Funds must equal 100 percent;

(2) The percentage elected by a participant for investment of future deposits in a TSP Fund will be applied to all sources of contributions and transfers (or rollovers) from traditional IRAs and eligible employer plans. A participant may not make different percentage elections for different sources of contributions;

(3) A participant who elects for the first time to invest in a TSP Fund other than the G Fund must execute an acknowledgment of risk in accordance with § 1601.33;

(4) All deposits made on behalf of a participant who does not have a contribution allocation in effect will be invested in the G Fund; and

(5) Once a contribution allocation becomes effective, it remains in effect until it is superseded by a subsequent contribution allocation. If a separated participant is rehired and had not withdrawn his or her entire TSP account, the participant's last contribution allocation before separation from service will be effective until a new allocation is made.

(b) *Effect of rejection of contribution allocation.* If a participant does not correctly complete a contribution allocation, the attempted allocation will have no effect. The TSP will provide the participant with a written statement of the reason the transaction was rejected.

* * * * *

Subpart C—Redistributing Participants' Existing Account Balances (Interfund Transfers)**§ 1601.21 [Amended]**

■ 15. Amend § 1601.21 by removing "TSP's investment funds" and adding in its place "TSP Funds".

■ 16. Revise § 1601.22 to read as follows:

§ 1601.22 Methods of requesting an interfund transfer.

(a) Participants may make an interfund transfer using the TSP Web site or the ThriftLine, or by completing and filing the appropriate paper TSP form with the TSP record keeper in

accordance with the form's instructions. The following rules apply to an interfund transfer request:

(1) Interfund transfer requests must be made in whole percentages (one percent increments). The sum of the percentages elected for all of the TSP Funds must equal 100 percent.

(2) The percentages elected by the participant will be applied to the balances in each source of contributions and to both tax-deferred and tax-exempt balances on the effective date of the interfund transfer.

(3) Any participant who elects to invest in a TSP Fund other than the G Fund for the first time must execute an acknowledgment of risk in accordance with § 1601.33.

(b) An interfund transfer request has no effect on deposits made after the effective date of the interfund transfer request; subsequent deposits will continue to be allocated among the investment funds in accordance with the participant's contribution allocation made under subpart B of this part.

(c) If an interfund transfer is found to be invalid pursuant to § 1601.34, the purported transfer will not be made. The TSP will provide the participant with a written statement of the reason the transaction was rejected.

Subpart D—Contribution Allocations and Interfund Transfer Requests

■ 17. Revise § 1601.32 to read as follows:

§ 1601.32 Timing and posting dates.

(a) *Posting dates.* The date on which the TSP processes or posts a contribution allocation or interfund transfer request (transaction request) is subject to a number of factors, including some that are outside of the control of the TSP, such as power outages, the failure of telephone service, unusually heavy transaction volume, and acts of God. These factors also could affect the availability of the TSP Web site and the ThriftLine. Therefore, the TSP cannot guarantee that a transaction request will be processed on a particular day. However, the TSP will process transaction requests under ordinary circumstances according to the following rules:

(1) A transaction request entered into the TSP record keeping system by a participant who uses the TSP Web site or the ThriftLine, or by a TSP Service Office participant service representative at the participant's request, at or before 12:00 noon eastern time of any business day, will ordinarily be posted that business day. A transaction request entered into the system after 12:00 noon eastern time of any business day will

ordinarily be posted on the next business day.

(2) A transaction request made on the TSP Web site or the ThriftLine on a non-business day will ordinarily be posted on the next business day.

(3) A transaction request made on a paper TSP form will ordinarily be posted under the rules in paragraph (a)(1) of this section, based on when the TSP record keeper enters the form into the TSP system. The TSP record keeper ordinarily enters such forms into the system within 24 hours of their receipt.

(4) In most cases, the share price(s) applied to an interfund transfer request is the value of the shares on the date the relevant transaction is posted. In some circumstances, such as error correction, the share price(s) for an earlier date will be used.

(b) *Limit.* There is no limit on the number of contribution allocations or interfund transfer requests that may be made by a participant.

■ 18. Revise § 1601.33 to read as follows:

§ 1601.33 Acknowledgment of risk.

(a) A participant who wants to invest in a TSP Fund other than the G Fund must execute an acknowledgment of risk for that fund. If a required acknowledgment of risk has not been executed, no transactions involving the fund(s) for which the acknowledgment is required will be accepted.

(b) The acknowledgment of risk may be executed in association with a contribution allocation or an interfund transfer using the TSP Web site, the ThriftLine, or a paper TSP form.

§§ 1601.34 and 1601.35 [Removed and Redesignated]

■ 19. Remove §§ 1601.34 and 1601.35 and redesignate § 1601.36 as § 1601.34.

■ 20. Add a new subpart E to read as follows:

Subpart E—Lifecycle Funds**§ 1601.40 Lifecycle Funds.**

The Executive Director will establish TSP Lifecycle Funds, which are target date asset allocation portfolios. The TSP Lifecycle Funds will invest solely in the funds established by the TSP pursuant to 5 U.S.C. 8438.

PART 1604—UNIFORMED SERVICES ACCOUNTS

■ 21. The authority citation for Part 1604 continues to read as follows:

Authority: 5 U.S.C. 8440e, 8474(b)(5) and (c)(1).

§ 1604.2 [Amended]

- 22. Amend § 1604.2 by removing the definitions of “eligible retirement plan” and “TSP record keeper”.
- 23. Revise § 1604.3 to read as follows:

§ 1604.3 Contribution elections.

A service member may make contribution elections as described in 5 CFR part 1600. A service member may elect to contribute sums to the TSP from basic pay, incentive pay, and special pay (including bonuses). However, the service member must elect to contribute to the TSP from basic pay in order to contribute to the TSP from incentive pay and special pay (including bonuses). A service member may elect to contribute from special pay or incentive pay (including bonuses) in anticipation of receiving such pay (that is, he or she does not have to be receiving the special pay or incentive pay when the contribution election is made); those elections will take effect when the service member receives the special or incentive pay.

- 24. Amend § 1604.4 by revising paragraphs (a) and (b) to read as follows:

§ 1604.4 Contributions.

(a) *Employee contributions.* Subject to the regulations at 5 CFR part 1600 and the following limitations, a service member may make regular contributions to the TSP from basic pay. If the service member makes regular contributions, he or she also may contribute all or a portion of incentive pay and special pay (including bonuses) to the TSP. The maximum TSP regular employee contribution (including contributions from pay earned in a combat zone) which a service member may make for 2005 is 10 percent of basic pay. After 2005 the percentage of basic pay limit will not apply and the maximum contribution will be limited only by the provisions of the Internal Revenue Code (26 U.S.C.).

(b) *Matching contributions.* When matching contributions are authorized for a service member, that service member's regular contributions will be matched dollar-for-dollar on the first three percent of basic pay contributed to the TSP, and 50 cents on the dollar on the next two percent of basic pay contributed. Matching contributions only apply to regular contributions.

* * * * *

- 25. Amend § 1604.5 by revising paragraphs (a)(1) and (b)(3) to read as follows:

§ 1604.5 Separate service member and civilian accounts.

(a) * * *

(1) If a participant contributes to a service member account and a civilian account, the contributions to both accounts together cannot exceed the Internal Revenue Code (26 U.S.C.) contribution limits.

* * * * *

(b) * * *

(3) Transferred funds will be allocated among the TSP Funds according to the contribution allocation in effect for the account into which the funds are transferred.

* * * * *

- 26. Amend § 1604.7 by revising paragraph (c) to read as follows:

§ 1604.7 Withdrawals.

* * * * *

(c) *Combat zone contributions.* If a service member account contains combat zone contributions, the withdrawal will be distributed *pro rata* from all sources. If a participant requests the TSP to transfer all, or a portion, of a withdrawal to a traditional IRA or eligible employer plan, the share of the withdrawal attributable to combat zone contributions (if any) can be transferred only if the IRA or plan accepts such funds.

* * * * *

- 27. Amend § 1604.8 by revising paragraph (c) to read as follows:

§ 1604.8 Death benefits.

* * * * *

(c) *Trustee-to-trustee transfers.* The surviving spouse of a TSP participant can request the TSP to transfer a death benefit payment to a traditional IRA or eligible employer plan. The share of the death benefit payment that is attributable to combat zone contributions (if any) can be transferred only if the IRA or plan accepts such funds.

* * * * *

- 28. Amend § 1604.9 by revising paragraph (c) to read as follows:

§ 1604.9 Court orders and legal processes.

* * * * *

(c) *Trustee-to-trustee transfers.* The current or former spouse of a TSP participant can request the TSP to transfer a court-ordered payment to a traditional IRA or eligible employer plan. If the payee requests the TSP to transfer all or a portion of the court-ordered payment to an IRA or plan, the share of the payment attributable to combat zone contributions (if any) can be transferred only if the IRA or plan accepts such funds.

* * * * *

§ 1604.10 [Amended]

- 29. Amend § 1604.10 by removing “; and” from paragraph (a)(3) and adding a period in its place; and by removing paragraph (a)(4).

PART 1605—CORRECTION OF ADMINISTRATIVE ERRORS

- 30. The authority citation for Part 1605 continues to read as follows:

Authority: 5 U.S.C. 8351, 8432a, and 8474(b)(5) and (c)(1).

Subpart A—General

- 31. Amend paragraph (b) of § 1605.1 by removing the definitions of “Board error”, “Employing agency error”, and “Record keeper error”, and by adding a new definition of “Error” to read as follows:

§ 1605.1 Definitions.

* * * * *

(b) * * *

Error means any act or omission by the Board, the TSP Record Keeper, or the participant's employing agency that is not in accordance with applicable statutes, regulations, or administrative procedures that are made available to employing agencies and/or TSP participants. It does not mean an act or omission caused by events that are beyond the control of the Board, the TSP Record Keeper, or the participant's employing agency.

* * * * *

- 32. Revise § 1605.2 to read as follows:

§ 1605.2 Calculating, posting, and charging breakage.

(a) The TSP will calculate breakage on late contributions, makeup agency contributions, and loan payments as described by § 1605.15(b). This breakage calculation is subject to the following rules:

(1) The TSP will not calculate breakage if contributions or loan payments are posted within 30 days of the “as of” date, or if the total amount on a late payment record or the total agency contributions on a current payment record is less than \$1.00; and

(2) The TSP will not take the participant's interfund transfers into account when determining breakage.

(b) *Calculating breakage.* The TSP will calculate breakage as follows:

(1) For contributions or loan payments with “as of” dates on or after January 1, 2000, the TSP will:

(i) Use the participant's contribution allocation on file for the “as of” date to determine how the funds would have been invested. If there is no contribution allocation on file, or one cannot be

derived based on the investment of contributions, the TSP will consider the funds to have been invested in the G Fund;

(ii) Determine the number of shares of the applicable investment funds the participant would have received had the contributions or loan payments been made on time. If the "as of" date is before TSP account balances were converted to shares, this determination will be the number of shares the participant would have received on the conversion date, and will include the monthly earnings the participant would have received had the contributions or loan payments been made on the "as of" date; and

(iii) Determine the dollar value on the posting date of the number of shares the participant would have received had the contributions or loan payments been made on time. The difference between the dollar value of the contribution or loan payment on the posting date and the dollar value of the contribution or loan payment on the "as of" date is the breakage.

(2) For contributions and loan payments with an "as of" date before January 1, 2000, the TSP will:

(i) Value the contributions and loan payments from the "as of" date through the date TSP accounts were converted to shares, by using the greater of either the G Fund monthly rate of return or the average monthly rate of return for all TSP Funds;

(ii) Determine the number of shares the participant would have received at conversion; and

(iii) Determine the dollar value of those shares on the posting date by using the greater of either the G Fund share price or the average share price for all of the TSP Funds. The difference between the dollar value of the contribution or loan payment on the posting date and the dollar value of the contribution or loan payment on the "as of" date is the breakage.

(c) *Posting contributions and loan payments.* Makeup and late contributions, late loan payments, and breakage, will be posted to the participant's account according to his or her contribution allocation on file for the posting date. If there is no contribution allocation on file for the posting date, they will be posted to the G Fund.

(d) *Charging breakage.* If the dollar amount posted to the participant's account is greater than the dollar amount of the makeup or late contribution or late loan payment, the TSP will charge the agency the additional amount. If the dollar amount posted to the participant's account is

less than the dollar amount of the makeup or late contribution, or late loan payment, the difference between the amount of the contribution and the amount posted will be forfeited to the TSP.

(e) *Posting of multiple contributions.* If the TSP posts multiple makeup or late contributions or late loan payments with different "as of" dates for a participant on the same business day, the amount of breakage charged to the employing agency or forfeited to the TSP will be determined separately for each transaction, without netting any gains or losses attributable to different "as of" dates. In addition, gains and losses from different sources of contributions or different TSP Funds will not be netted against each other. Instead, breakage will be determined separately for each as-of date, TSP Fund, and source of contributions.

Subpart B—Employing Agency Errors

■ 33. Amend § 1605.11 by revising paragraphs (c)(5), (c)(6) and (c)(8) to read as follows:

§ 1605.11 Makeup of missed or insufficient contributions.

* * * * *

(c) * * *

(5) Employee makeup contributions will be invested in accordance with the participant's current contribution allocation. The number of shares of each TSP Fund which will be purchased will be determined by dividing the amount of the makeup contributions by the share price of the applicable fund(s) on the posting date.

(6) Employee makeup contributions will be included for purposes of applying the annual limit contained in Internal Revenue Code (I.R.C.) section 402(g) (26 U.S.C. 402(g)(1)). For purposes of applying that limit, employee makeup contributions will be applied against the limit for the year of the "as of" date.

(i) Before establishing a schedule of employee makeup contributions, the employing agency must review any schedule proposed by the affected participant, as well as the participant's prior TSP contributions, if any, to determine whether the makeup contributions, when combined with prior contributions for the same year, would exceed the annual contribution limit(s) contained in I.R.C. section 402(g) for the year(s) with respect to which the contributions are being made.

(ii) The employing agency must not permit contributions that, when combined with prior contributions, would exceed the applicable annual

contribution limit contained in I.R.C. section 402(g).

* * * * *

(8) A participant may elect to terminate a schedule of employee makeup contributions at any time, but a termination is irrevocable. If a participant separates from Federal service, the participant may elect to accelerate the payment schedule by a lump sum contribution from his or her final paycheck.

* * * * *

■ 34. Revise § 1605.12 to read as follows:

§ 1605.12 Removal of erroneous contributions.

(a) *Applicability.* This section applies to the removal of funds erroneously contributed to the TSP. The TSP calls this action a negative adjustment, and agencies may only request negative adjustments of erroneous contributions made on or after January 1, 2000. Excess contributions addressed by this section include, for example, excess employee contributions that result from employing agency error and excess employer contributions. This section does not address excess contributions resulting from a FERCCA correction; those contributions are addressed in § 1605.14.

(b) *Method of correction.* Negative adjustment records must be submitted by employing agencies in accordance with this part and any other procedures provided by the Board.

(1) To remove money from a participant's account, the employing agency must submit, for each attributable pay date involved, a negative adjustment record stating the attributable pay date and the amount, by source, of the erroneous contribution.

(2) A negative adjustment record may be for any part of the contributions made for the attributable pay date. However, for each source of contributions, the negative adjustment may not exceed the amount of the contributions made for that date, minus any prior negative adjustments for the same date.

(c) *Processing negative adjustments.* To determine current value, a negative adjustment will be allocated among the TSP Funds as it would have been allocated on the attributable pay period (as reported by the employing agency).

(1) If the attributable pay date for the erroneous contribution is on or before the date TSP accounts were converted to shares (and on or after January 1, 2000), the TSP will, for each source of contributions and investment fund:

(i) Determine the dollar value of the amount to be removed by using the

monthly returns for the applicable TSP Fund;

(ii) Determine the number of shares that the dollar value determined in paragraph (c)(1)(i) of this section would have purchased on the conversion date; and

(iii) Multiply the price per share for the date the adjustment is posted by the number of shares calculated in paragraph (c)(1)(ii) of this section.

(2) If the attributable pay date of the negative adjustment is after the date TSP accounts were converted to shares, the TSP will, for each source of contributions and TSP Fund:

(i) Determine the number of shares that represent the amount of the contribution to be removed using the share price on the attributable pay date; and

(ii) Multiply the price per share on the date the adjustment is posted by the number of shares calculated in paragraph (c)(2)(i) of this section.

(d) *Employee contributions.* The following rules apply to negative adjustments involving employee contributions:

(1) If, on the posting date, the amount calculated under paragraph (c) of this section is equal to or greater than the amount of the proposed negative adjustment, the full amount of the adjustment will be removed from the participant's account and returned to the employing agency. Earnings on the erroneous contribution will remain in the participant's account;

(2) If, on the posting date, the amount calculated under paragraph (c) of this section is less than the amount of the proposed negative adjustment, the amount of the adjustment, reduced by the investment loss, will be removed from the participant's account and returned to the employing agency. However, the employing agency must refund to the participant the full amount of the erroneous contribution;

(3) If an employing agency requests the removal of erroneous employee contributions from a participant's account, it must also request the removal, under paragraph (e) of this section, of any attributable agency matching contributions; and

(4) If all employee contributions are removed from a participant's account under the rules set forth in this section, the earnings attributable to those contributions will remain in the account until the participant removes them with an in-service or a post-employment withdrawal. If the participant is not eligible to maintain a TSP account, the employing agency must submit an employee data record to the TSP indicating that the participant has

separated from Federal service (this will allow the TSP-eligible participant to make a post-employment withdrawal election).

(e) *Employer contributions.* The following rules apply to negative adjustments involving erroneous employer contributions:

(1) The amount calculated under paragraph (c) of this section will be removed from the participant's account.

(2) Erroneous employer contributions will be returned to the employing agency only if the negative adjustment record is posted by the TSP record keeper within one year of the date the erroneous contribution was posted. If one year or more has elapsed when the negative adjustment record is posted, the amount computed under paragraph (c) of this section will be removed from the participant's account and used to offset TSP administrative expenses;

(3) If the erroneous contribution has been in the participant's account for less than one year when the negative adjustment record is posted and the amount computed under paragraph (c) of this section is equal to or greater than the amount of the adjustment, the employing agency will receive the full amount of the erroneous contribution. Any earnings attributable to the erroneous contribution will be removed from the participant's account and used to offset TSP administrative expenses;

(4) If the erroneous contribution has been in the participant's account for less than one year when the negative adjustment record is posted, and the amount computed under paragraph (c) of this section is less than the amount of the adjustment, the employing agency will receive the amount of the erroneous contribution reduced by the investment loss; and

(5) An employing agency's obligation to submit negative adjustment records to remove erroneous contributions from a participant's account is not affected by the length of time the contributions have been in the account.

(f)(1) If multiple negative adjustments for the same attributable pay date for a participant are posted on the same business day, the amount removed from the participant's account and used to offset TSP administrative expenses, or returned to the employing agency, will be determined separately for each adjustment. Earnings and losses for erroneous contributions made on different dates will not be netted against each other. In addition, for a negative adjustment for any attributable pay date, gains and losses from different sources of contributions or different TSP Funds will not be netted against each other. Instead, for each attributable pay date

each source of contributions and each TSP Fund will be treated separately for purposes of these calculations. The amount computed by applying the rules in this section will be removed from the participant's account pro rata from all funds, by source, based on the allocation of the participant's account among the TSP Funds when the transaction is posted; and

(2) If there is insufficient money in the same source of contributions to cover the amount to be removed or the amount of the requested adjustment, the negative adjustment record will be rejected.

■ 35. Amend § 1605.13 by revising paragraphs (a)(2)(ii), (a)(3), (b)(3), and (d) to read as follows:

§ 1605.13 Back pay awards and other retroactive pay adjustments.

(a) * * *

(2) * * *

(ii) Instead of making contributions for the period of separation in accordance with the reinstated contribution election, the participant may submit a new contribution election if he or she would have been eligible to make such an election but for the erroneous separation.

(3) All contributions made under this paragraph (a) and associated breakage will be invested according to the participant's contribution allocation on the posting date. Breakage will be calculated using the G Fund share prices in accordance with § 1605.2 unless otherwise required by the employing agency or the court or other tribunal with jurisdiction over the back pay case.

(b) * * *

(3) All contributions under this paragraph (b) and associated breakage will be posted to the participant's account based on the participant's contribution allocation on the posting date. Breakage will be calculated in accordance with § 1605.2.

* * * * *

(d) *Prior withdrawal of TSP account.* If a participant has withdrawn his or her TSP account other than by purchasing an annuity, and the separation from Federal service upon which the withdrawal was based is reversed, resulting in reinstatement of the participant without a break in service, the participant will have the option to restore the amount withdrawn to his or her TSP account. The right to restore the withdrawn funds will expire if the participant does not notify the Board within 90 days of reinstatement. If the participant returns the funds that were withdrawn, the number of shares purchased will be determined by using

the share price of the applicable investment fund on the posting date. Restored funds will not incur breakage.

* * * * *

■ 36. Amend § 1605.14 by removing the word “excess” from the last sentence of paragraph (a)(1) and by revising paragraphs (b)(4) and (c)(3) to read as follows:

§ 1605.14 Misclassified retirement system coverage.

* * * * *

(b) * * *

(4) If the retirement coverage correction is a FERCCA correction, the employing agency must submit makeup employee contributions on late payment records. The participant is entitled to breakage on contributions from all three sources. Breakage will be calculated pursuant to § 1605.2. If the retirement coverage correction is not a FERCCA correction, the employing agency must submit makeup employee contributions on current payment records; in such cases, the employee is not entitled to breakage. Agency makeup contributions may be submitted on either current or late payment records; and

* * * * *

(c) * * *

(3) The TSP will consider a participant to be separated from Federal service for all TSP purposes and the employing agency must submit an employee data record to reflect separation from Federal service. If the participant has an outstanding loan, it will be subject to the provisions of 5 CFR 1655.13. The participant may make a TSP post-employment withdrawal election pursuant to 5 CFR part 1650, subpart B, and the withdrawal will be subject to the provisions of 5 CFR 1650.60(b).

* * * * *

■ 37. Amend § 1605.16 by revising paragraphs (a) and (b) to read as follows:

§ 1605.16 Claims for correction of employing agency errors; time limits.

(a) *Agency's discovery of error.* Upon discovery of an error made within the past six months involving the correct or timely remittance of payments to the TSP (other than a retirement system misclassification error, as covered in paragraph (c) of this section), an employing agency must promptly correct the error on its own initiative. If the error was made more than six months before it was discovered, the agency may exercise sound discretion in deciding whether to correct it, but, in any event, the agency must act promptly in doing so.

(b) *Participant's discovery of error.* If an agency fails to discover an error of

which a participant has knowledge involving the correct or timely remittance of a payment to the TSP (other than a retirement system misclassification error as covered by paragraph (c) of this section), the participant may file a claim with his or her employing agency to have the error corrected without a time limit. The agency must promptly correct any such error for which the participant files a claim within six months of its occurrence; if the participant files a claim to correct any such error after that time, the agency may do so at its sound discretion.

* * * * *

Subpart C—Board or TSP Record Keeper Errors

■ 38. Revise § 1605.21 to read as follows:

§ 1605.21 Plan-paid breakage and other corrections.

(a) *Plan-paid breakage.* (1) Subject to paragraph (a)(3) of this section, if, because of an error committed by the Board or the TSP record keeper, a participant's account is not credited or charged with the investment gains or losses the account have received had the error not occurred, the account will be credited accordingly.

(2) Errors that warrant the crediting of breakage under paragraph (a)(1) of this section include, but are not limited to:

(i) Delay in crediting contributions or other money to a participant's account;

(ii) Improper issuance of a loan or withdrawal payment to a participant or beneficiary which requires the money to be restored to the participant's account; and

(iii) Investment of all or part of a participant's account in the wrong investment fund(s).

(3) A participant will not be entitled to breakage under paragraph (a)(1) of this section if the participant had the use of the money on which the investment gains would have accrued.

(4) If the participant continued to have a TSP account, or would have continued to have a TSP account but for the Board or TSP record keeper's error, the TSP will compute gains or losses under paragraph (a)(1) of this section for the relevant period based upon the investment funds in which the affected money would have been invested had the error not occurred. If the participant did not have, and should not have had, a TSP account during this period, then the TSP will use the G Fund rate of return for the relevant period and return the money to the participant.

(b) *Other corrections.* The Executive Director may, in his discretion and

consistent with the requirements of applicable law, correct any other errors not specifically addressed in this section, including payment of breakage, if the Executive Director determines that the correction would serve the interests of justice and fairness and equity among all participants of the TSP.

■ 39. Amend § 1605.22 by revising paragraph (c)(2) to read as follows:

§ 1605.22 Claims for correction of Board or TSP record keeper errors; time limitations.

* * * * *

(c) * * *

(2) For errors involving contribution allocations or interfund transfers of which a participant or beneficiary has knowledge, he or she may file a claim for correction with the Board or TSP record keeper no later than 30 days after the TSP provides the participant with a transaction confirmation reflecting the error, or makes available on its Web site a participant statement detailing the error. The Board or TSP record keeper must promptly correct such errors.

* * * * *

Subpart D—Miscellaneous Provisions

■ 40. Amend § 1605.31 by revising paragraphs (b), (c)(1) and (d) to read as follows:

§ 1605.31 Contributions missed as a result of military service.

* * * * *

(b) *Missed employee contributions.*

An employee who separates or enters nonpay status to perform military service may be eligible to make up TSP contributions when he or she is reemployed or restored to pay status in the civilian service. Eligibility for making up missed employee contributions will be determined in accordance with the rules specified at 5 CFR part 1620, subpart E. Missed employee contributions must be made up in accordance with the rules set out in § 1605.11(c) and 5 CFR 1620.42.

(c) * * *

(1) The employee is entitled to receive the agency automatic (1%) contributions that he or she would have received had he or she remained in civilian service or pay status. Within 60 days of the employee's reemployment or restoration to pay status, the employing agency must calculate the agency automatic (1%) makeup contributions and report those contributions to the record keeper.

* * * * *

(d) *Breakage.* The employee is entitled to breakage on agency contributions made under paragraph (c) of this section. The employee will elect

to have the calculation based on either the contribution allocation(s) on file for the participant during the period of military service or the G Fund; the participant must make this election at the same time his or her makeup schedule is established pursuant to § 1605.11(c).

PART 1606—[REMOVED AND RESERVED]

- 41. Under the authority of 5 U.S.C. 8474(c)(1), remove and reserve part 1606.

PART 1620—EXPANDED AND CONTINUING ELIGIBILITY

- 42. The authority citation for Part 1620 is revised to read as follows:

Authority: 5 U.S.C. 8474(b)(5) and (c)(1).

Subpart C also issued under 5 U.S.C. 8440a(b)(7), 8440b(b)(8), and 8440c(b)(8). Subpart D also issued under sec. 1043(b) of Pub. L. 104–106, 110 Stat. 186, and sec. 7202(m)(2) of Pub. L. 101–508, 104 Stat. 1388.

Subpart E also issued under 5 U.S.C. 8432b(1) and 8440e.

Subpart A—General

§ 1620.1 [Amended]

- 43. Amend § 1620.1 by removing “, waives open season rules,” from the third sentence.
- 44. Revise § 1620.2 to read as follows:

§ 1620.2 Definitions.

The definitions generally applicable to the Thrift Savings Plan are set forth at 5 CFR 1690.1.

Subpart B—Cooperative Extension Service, Union, and Intergovernmental Personnel Act Employees

- 45. Amend § 1620.12 by revising the third sentence to read as follows:

§ 1620.12 Employing authority contributions.

* * * The employing authority can commence or terminate employer contributions at any time after providing all affected employees with notice of a decision to commence or terminate such contributions at least 45 days before the beginning of the applicable election period. * * *

- 46. Revise the Subpart C heading to read as follows:

Subpart C—Justices and Judges

§ 1620.20 [Amended]

- 47. Amend § 1620.20 by adding the word “judge” to paragraphs (a)(2) and (b) after the word “magistrate”.

- 48. Amend § 1620.21 by adding the word “judge” to paragraph (b)(2) after the word “magistrate”, and by revising paragraph (a) to read as follows:

§ 1620.21 Contributions.

(a) An individual covered under this subpart can make contributions to the TSP from basic pay in the amount described at 5 CFR 1600.22(a)(1). Unless stated otherwise in this subpart, he or she is covered by the same rules that apply to a CSRS participant in the TSP.

* * * * *

§ 1620.22 [Amended]

- 49. Amend § 1620.22 by adding the word “judge” to paragraph (a)(2)(ii) after the word “magistrate”.

- 50. Amend § 1620.23 by revising paragraph (b) to read as follows:

§ 1620.23 Spousal rights.

* * * * *

(b) A current or former spouse of a bankruptcy judge, a United States magistrate judge, or a judge of the United States Court of Federal Claims, possesses the rights described at 5 U.S.C. 8435 and 8467 if the judge is covered under this subpart.

Subpart D—Nonappropriated Fund Employees

§ 1620.33 [Removed and Reserved]

- 51. Remove and reserve § 1620.33.

Subpart E—Uniformed Services Employment and Reemployment Rights Act (USERRA)—Covered Military Service

- 52. Revise § 1620.42 to read as follows:

§ 1620.42 Processing TSP contribution elections.

(a) *Current contribution election.* If the employee entered nonpay status with a valid contribution election on file, the agency must immediately reinstate that election for current contributions when the employee returns to pay status, unless the employee files a new contribution election. If the employee separated to perform military service, he or she must make a new contribution election to begin current contributions.

(b) *Makeup contribution election.* Upon reemployment or return to pay status, an employee has 60 days to elect to make up missed contributions. An employee’s right to make retroactive TSP contributions will expire if an election is not made within 60 days of the participant’s reemployment or return to pay status.

(c) *Makeup contributions.* Makeup contributions will be processed as follows:

(1) If the employee had a valid contribution election on file when he or she separated or entered nonpay status to perform military service, that election form will be reinstated for purposes of determining the makeup contributions, unless the employee submits a new contribution election which he or she could otherwise have made but for the performance of military service.

(2) An employee who terminated contributions within two months of entering military service will also be eligible to make a retroactive contribution election to be effective on the date the contributions were terminated.

- 53. Revise § 1620.43 to read as follows:

§ 1620.43 Agency payments to record keeper; agency ultimately responsible.

(a) *Agency making payments to record keeper.* The current employing agency is responsible for making payments to the record keeper for all contributions, regardless of whether some of that expense is ultimately chargeable to a prior employing agency.

(b) *Agency ultimately chargeable with expense.* The agency that reemployed the participant is ordinarily the agency ultimately chargeable with the expense of agency contributions and the breakage attributable to them. However, if an employee changed agencies during the period between the date of reemployment and October 13, 1994, the employing agency as of October 13, 1994, is the agency ultimately chargeable with the expense.

(c) *Reimbursement by agency ultimately chargeable with expense.* If the agency that made the payments to the record keeper for agency contributions is not the agency ultimately chargeable for that expense, the agency that made the payments to the record keeper may, but is not required to, obtain reimbursement from the agency ultimately chargeable with the expense.

- 54. Amend § 1620.45 by revising paragraphs (a)(1), (a)(2), (c)(2) and (d) to read as follows:

§ 1620.45 Suspending TSP loans, restoring post-employment withdrawals, and reversing taxable distributions.

(a) * * *

(1) Interest will accrue on the loan balance during the period of suspension. When the employee returns to civilian pay status, the employing agency will resume deducting loan payments from the participant’s basic pay and the TSP will reamortize the

loan (which will include interest accrued during the period of military service). The maximum loan repayment term will be extended by the employee's period of military service.

Consequently, when the employee returns to pay status, the TSP record keeper must receive documentation to show the beginning and ending dates of military service.

(2) The TSP may close the loan account and declare it to be a taxable distribution if the TSP does not receive documentation that the employee entered into nonpay status. However, the taxable distribution can be reversed in accordance with paragraph (c) of this section.

* * * * *

(c) * * *

(2) A taxable loan distribution can be reversed either by reinstating the loan or by repaying it in full. The TSP loan can be reinstated only if the employee agrees to repay the loan within the maximum loan repayment term plus the length of military service, and if, after reinstatement of the loan, the employee will have no more than two outstanding loans, only one of which is a residential loan; and

* * * * *

(d) *Breakage*. Employees will not receive breakage on amounts returned to their accounts under this section.

■ 55. Amend § 1620.46 by revising paragraphs (b), (d) and (e) to read as follows:

§ 1620.46 Agency responsibilities.

* * * * *

(b) *Agency records; procedure for reimbursement*. The agency making payments to the record keeper for all contributions and attributable breakage will obtain from prior employing agencies whatever information is necessary to make accurate payments. If a prior employing agency is ultimately chargeable under § 1620.43(b) for all or part of this expense, the agency making the payments to the record keeper will determine the procedure to follow in order to collect amounts owed to it by the agency ultimately chargeable with the expense.

* * * * *

(d) *Agency automatic (1%) contributions*. Employing agencies must calculate the agency automatic (1%) contributions for all reemployed (or restored) FERS employees and report those contributions to the record keeper within 60 days of reemployment.

(e) *Forfeiture restoration*. When notified by an employee that a forfeiture of the agency automatic (1%) contributions occurred after the

employee separated to perform military service, the employing agency must complete and file the appropriate paper TSP form with the TSP record keeper in accordance with the form's instructions to have those funds restored.

* * * * *

PART 1640—PERIODIC PARTICIPANT STATEMENTS

■ 56. The authority citation for Part 1640 continues to read as follows:

Authority: 5 U.S.C. 8439(c)(1) and (c)(2), 5 U.S.C. 8474(b)(5) and (c)(1).

■ 57. Amend § 1640.3 by revising paragraph (f)(3) to read as follows:

§ 1640.3 Statement of individual account.

* * * * *

(f) * * *

(3) The account balance and activity in each TSP Fund, including the dollar amount of the transaction, the share price, and the number of shares; and

* * * * *

■ 58. Amend § 1640.4 by revising paragraphs (a)(5) and (b)(2) to read as follows:

§ 1640.4 Account transactions.

(a) * * *

(5) Transfers among TSP Funds;

* * * * *

(b) * * *

(2) TSP Funds affected;

* * * * *

■ 59. Amend § 1640.5 by revising the section heading and the first sentence of the introductory language to read as follows:

§ 1640.5 TSP Fund information.

The Board will provide to each participant four (4) times each calendar year a statement concerning each of the TSP Funds. * * *

* * * * *

PART 1645—CALCULATION OF SHARE PRICES

■ 60. The authority citation for Part 1645 continues to read as follows:

Authority: 5 U.S.C. 8439(a)(3) and 8474.

■ 61. Revise § 1645.2 to read as follows:

§ 1645.2 Posting of transactions.

Contributions, loan payments, loan disbursements, withdrawals, interfund transfers, and other transactions will be posted in dollars and in shares by source and by TSP Fund to the appropriate individual account by the TSP record keeper, using the share price for the date the transaction is posted.

■ 62. Revise § 1645.3 to read as follows:

§ 1645.3 Calculation of total net earnings for each TSP Fund.

(a) Each business day, net earnings will be calculated separately for each TSP Fund.

(b) Net earnings for each fund will equal:

(1) The sum of the following items, if any, accrued since the last business day:

(i) Interest on money of that fund which is invested in the Government Securities Investment Fund;

(ii) Interest on other short-term investments of the fund;

(iii) Other income (such as dividends, interest, or securities lending income) on investments of the fund; and

(iv) Capital gains or losses on investments of the fund, net of transaction costs.

(2) Minus the accrued administrative expenses of the fund, determined in accordance with § 1645.4.

(c) The net earnings for each TSP fund determined in accordance with paragraph (b) of this section will be added to the residual net earnings for that fund from the previous business day, as described in § 1645.5(b), to produce the total net earnings. The total net earnings will be used to calculate the share price for that business day.

■ 63. Revise § 1645.4 to read as follows:

§ 1645.4 Administrative expenses attributable to each TSP Fund.

A portion of the administrative expenses accrued during each business day will be charged to each TSP Fund. A fund's respective portion of administrative expenses will be determined as follows:

(a) Accrued administrative expenses (other than those described in paragraph (b) of this section) will be reduced by accrued forfeitures and accrued earnings on forfeitures, abandoned accounts, and unapplied deposits;

(b) Investment management fees and other accrued administrative expenses attributable only to a particular fund will be charged solely to that fund.

(c) The amount of accrued administrative expenses not covered by forfeitures under paragraph (a) of this section, and not described in paragraph (b) of this section, will be charged on a *pro rata* basis to all TSP Funds, based on the respective fund balances on the last business day of the prior month end.

■ 64. Revise § 1645.5 to read as follows:

§ 1645.5 Calculation of share prices.

(a) *Calculation of share price*. The share price for each TSP Fund for each business day will apply to all sources of contributions for that fund. The total net earnings (as computed under § 1645.3)

for each fund will be divided by the total fund basis (as computed under § 1645.6) for that fund. The resulting number, computed to ten decimal places, represents the incremental change in the value of that fund from the last business day to the current business day. The share price for that fund for the current business day is the sum of the incremental change in the share price for the current business day plus the share price for the prior business day, truncated to two decimal places.

(b) *Residual net earnings.* When the total net earnings for each business day for each TSP Fund are divided by the total fund basis in that fund, there will be residual net earnings attributable to the truncation described in paragraph (a) of this section which will not be included in the incremental change in the share price of the fund for that business day. The residual net earnings that are not included in the incremental share price for the fund may be added to the earnings for that fund on the next business day.

■ 65. Revise § 1645.6 to read as follows:

§ 1645.6 Basis for calculation of share prices.

The total fund basis for a TSP Fund will be the sum of the number of shares in all individual accounts from all sources of contributions in that fund as of the opening of business on each business day.

PART 1650—METHODS OF WITHDRAWING FUNDS FROM THE THRIFT SAVINGS PLAN

■ 66. The authority citation for Part 1650 continues to read as follows:

Authority: 5 U.S.C. 8531, 8433, 8434, 8435, 8474(b)(5) and 8474(c)(1).

Subpart A—General

§ 1650.1 [Amended]

■ 67. Amend § 1650.1 by removing from paragraph (b) the definitions of “Eligible employer plan” and Traditional IRA”.

■ 68. Revise § 1650.4 to read as follows:

§ 1650.4 Certification of truthfulness.

By signing a TSP withdrawal form, electronically or on paper, the participant certifies, under penalty of perjury, that all information provided to the TSP during the withdrawal process is true and complete, including statements concerning the participant’s marital status and, where applicable, the spouse’s address at the time the application is filed or the current spouse’s consent to the withdrawal.

■ 69. Add a new § 1650.6 to read as follows:

§ 1650.6 Deceased participant.

(a) The TSP will cancel a pending withdrawal request if it processes a written notice that a participant is deceased. The TSP will also cancel an annuity purchase made on or after the participant’s date of death but before annuity payments have begun, and the annuity vendor will return the funds to the TSP.

(b) If the TSP processes a withdrawal request before being notified that a participant is deceased, the funds cannot be returned to the TSP.

Subpart B—Post-Employment Withdrawals

■ 70. Amend § 1650.11 by adding a new paragraph (c) to read as follows:

§ 1650.11 Withdrawal elections.

* * * * *

(c) If a participant’s vested account balance is less than \$200 when he or she separates from Federal service, the TSP will automatically pay the balance to the participant at his or her TSP address of record. The participant will not be eligible for any other payment option or be allowed to remain in the TSP.

■ 71. Amend § 1650.17 by revising paragraph (a) to read as follows and by removing the word “final” from the last sentence of paragraph (c) and adding in its place the word “fixed”:

§ 1650.17 Changes and cancellation of a withdrawal request.

(a) *Before processing.* A pending withdrawal request can be cancelled if the cancellation is processed before the TSP processes the withdrawal request. However, the TSP processes withdrawal requests each business day and those that are entered into the record keeping system by 12:00 noon eastern time will ordinarily be processed that night; those entered after 12:00 noon eastern time will be processed the next business day. Consequently, a cancellation request must be received and entered into the system before the cut-off for the day the withdrawal request is submitted for processing in order to be effective to cancel the withdrawal.

* * * * *

Subpart C—Procedures for Post-Employment Withdrawals

■ 72. Amend § 1650.24 by revising the first sentence to read as follows:

§ 1650.24 How to obtain a post-employment withdrawal.

To request a post-employment withdrawal, a participant must submit

to the TSP record keeper a properly completed paper TSP post-employment withdrawal request form or use the TSP Web site to initiate a request. * * *

§ 1650.25 [Removed and Reserved]

■ 73. Remove and reserve § 1650.25.

Subpart E—Procedures for In-Service Withdrawals

■ 74. Amend § 1650.41 by revising the first sentence to read as follows:

§ 1650.41 How to obtain an age-based withdrawal.

To request an age-based withdrawal, a participant must submit to the TSP record keeper a properly completed paper TSP age-based withdrawal request form or use the TSP Web site to initiate a request. * * *

■ 75. Amend § 1650.42(a) by revising the first sentence to read as follows:

§ 1650.42 How to obtain a financial hardship withdrawal.

(a) To request a financial hardship withdrawal, a participant must submit to the TSP record keeper a properly completed paper TSP hardship withdrawal request form or use the TSP Web site to initiate a request. * * *

* * * * *

§ 1650.43 [Removed and Reserved]

■ 76. Remove and reserve § 1650.43.

Subpart G—Spousal Rights

■ 77. Amend § 1650.63 by revising paragraph (a) introductory text to read as follows:

§ 1650.63 Executive Director’s exception to the spousal notification requirement.

(a) Whenever this subpart requires the Executive Director to give notice of an action to the spouse of a CSRS participant, an exception to this requirement may be granted if the participant establishes to the satisfaction of the Executive Director that the spouse’s whereabouts cannot be determined. A request for such an exception must be submitted to the TSP record keeper on the appropriate TSP paper form, accompanied by the following:

* * * * *

PART 1651—DEATH BENEFITS

■ 78. The authority citation for Part 1651 continues to read as follows:

Authority: 5 U.S.C. 8424(d), 8432(j), 8433(e), 8435(c), 8474(b)(5) and 8474(c)(1).

■ 79. Amend § 1651.2 by revising paragraphs (b) and (d) to read as follows:

§ 1651.2 Entitlement to funds in a deceased participant's account.

* * * * *

(b) *TSP withdrawals.* If the TSP processes a notice that a participant has died, it will cancel any pending request by the participant to withdraw his or her account. The TSP will also cancel an annuity purchase made on or after the participant's date of death but before annuity payments have begun, and the annuity vendor will return the funds to the TSP. The funds designated by the participant for the withdrawal will be paid as a death benefit in accordance with paragraph (a) of this section, unless the participant elected to withdrawal his or her account in the form of an annuity, in which case the funds designated for the purchase of the annuity will be paid as described below:

(1) If the participant requested a single life annuity with no cash refund or 10-year certain feature, the TSP will pay the funds as a death benefit in accordance with paragraph (a) of this section.

(2) If the participant requested a single life annuity with a cash refund or 10-year certain feature, the TSP will pay the funds as a death benefit to the beneficiary or beneficiaries designated by the participant on the annuity portion of the TSP withdrawal request form, or as a death benefit in accordance with paragraph (a) of this section if no beneficiary designated on the withdrawal request survives the participant.

(3) If the participant requested a joint life annuity without additional features, the TSP will pay the funds as a death benefit to the joint life annuitant if he or she survives the participant, or as a death benefit in accordance with paragraph (a) of this section if the joint life annuitant does not survive the participant.

(4) If the participant requested a joint life annuity with a cash refund or 10-year certain feature, the TSP will pay the funds as a death benefit to the joint life annuitant if he or she survives the participant, or as a death benefit to the beneficiary or beneficiaries designated by the participant on the annuity portion of the TSP withdrawal request form if the joint life annuitant does not survive the participant, or as a death benefit in accordance with paragraph (a) of this section if neither the joint life annuitant nor any designated beneficiary survives the participant.

(5) If a participant dies after annuity payments have begun, the annuity vendor will make or stop the payments in accordance with the annuity method selected.

* * * * *

(d) *Investment of a TSP account upon notice of death.* If a participant dies with any portion of his or her TSP account in a TSP Fund other than the G Fund, the TSP will transfer the entire account into the G Fund after it processes a notice that the participant has died, or a death code from the participant's employing agency reporting the participant's death. The account will accrue earnings at the G Fund rate in accordance with 5 CFR part 1645 until it is paid out under this part.

■ 80. Revise § 1651.3 to read as follows:

§ 1651.3 Designation of beneficiary.

(a) *Filing requirements.* To designate a beneficiary of a TSP account, a participant must complete and file a TSP designation of beneficiary form with the TSP record keeper. A participant may designate more beneficiaries than the TSP form accommodates by attaching additional pages to the TSP designation of beneficiary form in accordance with the instructions on the form. A valid TSP designation of beneficiary remains in effect until it is properly canceled or changed as described in § 1651.4.

(b) *Eligible beneficiaries.* Any individual, firm, corporation, or legal entity, including the U.S. Government, may be designated as a beneficiary. Any number of beneficiaries can be named to share the death benefit. A beneficiary may be designated without the knowledge or consent of that beneficiary or the knowledge or consent of the participant's spouse.

(c) *Validity requirements.* To be valid, a TSP designation of beneficiary form must be:

(1) Received by the TSP record keeper on or before the date of the participant's death; and

(2) Signed by the participant and two witnesses. The participant must either sign the form in the presence of the witnesses or acknowledge his signature on the form to the witnesses. If the participant attaches an additional page or pages to the designation of beneficiary form, each additional page must be signed and witnessed in the same manner (by the same witnesses) as the form itself, and must follow the format of the TSP designation of beneficiary form. A witness must be age 21 or older. A witness designated as a beneficiary will not be entitled to receive a death benefit payment; if a witness is the only named beneficiary, the designation of beneficiary is invalid. If more than one beneficiary is named, the share of the witness beneficiary will be allocated among the remaining beneficiaries *pro rata*.

(d) *Will.* A participant cannot use a will to designate a TSP beneficiary.

■ 81. Revise § 1651.4 to read as follows:

§ 1651.4 How to change or cancel a designation of beneficiary.

(a) *Change.* To change a designation of beneficiary, the participant must submit to the TSP record keeper a new TSP designation of beneficiary form meeting the requirements of § 1651.3 to the TSP record keeper. If the TSP receives more than one valid TSP designation of beneficiary form, it will honor the form with the latest date signed by the participant. A participant may change a TSP beneficiary at any time, without the knowledge or consent of any person, including his or her spouse.

(b) *Cancellation.* A participant may cancel all prior designations of beneficiaries by sending the TSP record keeper either a new valid designation of beneficiary form meeting the requirements of § 1651.3, or a letter. If the participant uses a letter to cancel a designation of beneficiary, it must be signed and witnessed in the same manner as a TSP designation of beneficiary form; it must explicitly state that all prior designations are canceled; and the TSP record keeper must receive it on or before the date of the participant's death.

(c) *Will.* A participant cannot use a will to change or cancel a TSP designation of beneficiary.

■ 82. Revise § 1651.10 to read as follows:

§ 1651.10 Deceased and non-existent beneficiaries.

(a) *Designated beneficiary dies before participant.* The share of any designated beneficiary who predeceases the participant will be paid pro rata to the participant's other designated beneficiary or beneficiaries. If no designated beneficiary survives the participant, the account will be paid according to the order of precedence set forth in § 1651.2(a).

(b) *Trust designated as beneficiary but not in existence.* If a participant designated a trust or other entity as a beneficiary and the entity does not exist on the date of the participant's death, or is not created by will or other document that is effective upon the participant's death, the amount designated to the entity will be paid in accordance with the rules of paragraph (a) of this section, as if the trust were a beneficiary that predeceased the participant.

(c) *Non-designated beneficiary dies before participant.* If a beneficiary other than a beneficiary designated on a TSP designation of beneficiary form dies before the participant, the beneficiary's

share will be paid equally to other living beneficiaries bearing the same relationship to the participant as the deceased beneficiary. However, if the deceased beneficiary is a child of the participant, payment will be made to the deceased child's descendants, if any. If there are no other beneficiaries bearing the same relationship or, in the case of children, there are no descendants of deceased children, the deceased beneficiary's share will be paid to the person(s) next in line according to the order of precedence.

(d) *Beneficiary dies after participant but before payment.* If a beneficiary dies after the participant, the beneficiary's share will be paid to the beneficiary's estate. A copy of a beneficiary's certified death certificate is required in order to establish that the beneficiary has died, and when.

■ 83. Revise § 1651.13 to read as follows:

§ 1651.13 How to apply for a death benefit.

The TSP has created a paper form that a potential beneficiary must use to apply for a TSP death benefit. The TSP must receive this form before a death benefit can be paid. Any individual can file this form with the TSP record keeper. The individual submitting the form must attach to the form a certified copy of the participant's death certificate. The TSP record keeper's acceptance of this form does not entitle the applicant to benefits.

■ 84. Amend § 1651.14 by revising paragraphs (b), (c) and (g) to read as follows:

§ 1651.14 How payment is made.

* * * * *

(b) *Payment.* Payment is made separately to each entitled beneficiary. The TSP will send the payment to the address that is provided on the participant's TSP designation of beneficiary form unless the TSP receives written notice of a more recent address. All beneficiaries must provide the TSP record keeper with a taxpayer identification number; *i.e.*, Social Security number (SSN), employee identification number (EIN), or individual taxpayer identification number (ITIN), as appropriate.

(c) *Payment to the participant's spouse.* The spouse of the participant may request that the TSP transfer all or a portion of the payment to a traditional IRA or eligible employer plan (including the spouse's TSP account, if he or she already has one). A transfer to a spouse's TSP account is permitted only if the spouse is not receiving monthly payments from the account. In order to request such a transfer, a spouse must

use the transfer form provided by the TSP.

* * * * *

(g) If a death benefit payment is returned as undeliverable, the TSP record keeper will attempt to contact the beneficiary. If the beneficiary does not respond within 60 days, the TSP will forfeit the death benefit payment to the Plan. The beneficiary can claim the forfeited funds, although they will not be credited with TSP investment returns.

* * * * *

■ 85. Amend § 1651.16 by revising the last sentence of paragraph (c) to read as follows:

§ 1651.16 Missing and unknown beneficiaries.

* * * * *

(c) * * * The TSP may require the beneficiary to apply for the death benefit with a TSP form and submit proof of identity and relationship to the participant.

PART 1653—COURT ORDERS AND LEGAL PROCESSES AFFECTING THRIFT SAVINGS PLAN ACCOUNTS

■ 86. The authority citation for Part 1653 continues to read as follows:

Authority: 5 U.S.C. 8435, 8436(b), 8437(e)(3), 8467, 8474(b)(5) and 8474(c)(1).

Subpart A—Retirement Benefits Court Orders

■ 87. Amend § 1653.5 by revising paragraphs (a), (d) and (e) to read as follows:

§ 1653.5 Payment.

(a) Payment pursuant to a qualifying retirement benefits court order ordinarily will be made 60 days after the date of the TSP decision letter. This is intended to permit the payee sufficient time to consider decisions about tax withholding, payment by EFT, and transfer options. An earlier distribution may be made as follows:

(1) If the payee is the current or former spouse of the participant, the payee can request to receive the payment sooner than 60 days by making a tax withholding election, by requesting a payment by EFT, or by requesting a transfer of all or a portion of the payment to a traditional IRA or eligible employer plan. The TSP decision letter will provide the forms a payee must use to choose one of these payment options.

(2) If the payee is someone other than the current or former spouse of the participant, the participant can request a disbursement sooner than 60 days by

making a tax withholding election on forms provided to the participant with the TSP decision letter.

(3) If the court order makes an award to multiple payees, a disbursement may be made earlier than 60 days only if requests for expedited payment are received from all of the payees.

(4) In no event will payment be made earlier than 31 days after the date of the TSP decision letter.

* * * * *

(d) Payment will be made *pro rata* from all TSP Funds in which the account is invested, based on the balance in each fund on the date payment is made, and from both tax-deferred and tax-exempt balances, if any. The TSP will not honor provisions of a court order that require payment to be made from specific TSP Funds or contribution sources. A court order may, however, specify a particular payment from the tax-exempt balance of a uniformed services TSP account.

(e) Payment will be made only to the person or persons specified in the court order.

(1) If payment is made to the current or former spouse of the participant, the distribution will be reported to the Internal Revenue Service (IRS) as income to the payee. If the court order specifies a third-party mailing address for the payment, the TSP will mail to the address specified any portion of the payment that is not transferred to a traditional IRA or eligible employer plan.

(2) If the payment is made to anyone other than the current or former spouse of the participant, the payment is taxable to the participant and is subject to Federal income tax withholding by the participant. The participant can elect the amount to be withheld by filing with the TSP the forms provided to the participant with the decision letter. The tax withholding will be taken from the payee's entitlement and the gross amount of the payment (*i.e.*, the net payment distributed to the payee plus the amount withheld from the payment for taxes) will be reported to the IRS as income to the participant.

* * * * *

PART 1655—LOAN PROGRAM

■ 88. The authority citation for Part 1655 continues to read as follows:

Authority: 5 U.S.C. 8433(g) and 8474.

■ 89. Amend § 1655.1 by revising the definition of "Date of application" in paragraph (b) to read as follows:

§ 1655.1 Definitions.

* * * * *

(b) * * *

Date of application means the day on which the TSP record keeper receives the loan application, either electronically or on the TSP Web site or on a paper TSP form.

* * * * *

- 90. Amend § 1655.2 by revising paragraph (c) to read as follows:

§ 1655.2 Eligibility for loans.

* * * * *

(c) The participant is eligible to contribute to the TSP (or would be eligible to contribute but for the suspension of the participant's contributions because he or she obtained a financial hardship in-service withdrawal);

* * * * *

- 91. Amend § 1655.9 by revising paragraphs (b) and (c) to read as follows:

§ 1655.9 Effect of loans on individual account.

* * * * *

(b) The loan principal will be disbursed from that portion of the account represented by employee contributions and attributable earnings, *pro rata* from each TSP Fund in which the account is invested and *pro rata* from tax-deferred and tax-exempt balances.

(c) Loan payments, including both principal and interest, will be credited to the participant's individual account. Loan payments will be credited to the appropriate TSP Fund in accordance with the participant's most recent contribution allocation.

- 92. Amend § 1655.10 by revising paragraph (a) to read as follows:

§ 1655.10 Loan application process.

(a) Any participant may apply for a loan by submitting a completed TSP loan application form to the TSP record keeper.

* * * * *

- 93. Amend § 1655.12 by revising paragraph (a)(1) to read as follows:

§ 1655.12 Loan agreement.

(a) * * *

(1) If the participant submits a paper loan application, the TSP record keeper will mail the loan agreement, and other information as appropriate, to the participant.

* * * * *

PART 1690—THRIFT SAVINGS PLAN

- 94. The authority citation for Part 1690 continues to read as follows:

Authority: 5 U.S.C. 8474.

Subpart A—General

- 95. Amend § 1690.1:

■ a. By removing the definitions of “Open season” and “Investment fund”;
 ■ b. By adding a new definition of “TSP Fund” to read as follows; and
 ■ c. By revising the definitions of “Account balance”, “Contribution allocation”, “Share”, “Share price”, and “TSP record keeper” to read as follows:

§ 1690.1 Definitions.

* * * * *

Account balance means the sum of the dollar balances for each source of contributions in each TSP Fund for an individual account. The dollar balance in each fund on a given day is the product of the total number of shares in that fund multiplied by the share price for the fund on that day.

* * * * *

Contribution allocation means the participant's apportionment of his or her future contributions, loan payments, and transfers or rollovers from eligible employer plans or traditional IRAs among the TSP Funds.

* * * * *

Share means a portion of a TSP Fund. Transactions are posted to accounts in shares at the share price of the date the transaction is posted. The number of

shares for a transaction is calculated by dividing the dollar amount of the transaction by the share price of the appropriate date for the fund in question. The number of shares is computed to four decimal places.

Share price means the value of a share in a TSP Fund. The share price is calculated separately for each fund for each business day. The share price includes the cumulative net earnings or losses for each fund through the date the share price is calculated.

* * * * *

TSP Fund means an investment fund established pursuant to 5 U.S.C. 8438 and an investment allocation fund established pursuant to 5 CFR Part 1601, subpart E.

TSP record keeper means the entities the Board engages to perform record keeping services for the Thrift Savings Plan.

* * * * *

Subpart B—Miscellaneous

- 96. Add a new § 1690.14 to read as follows:

§ 1690.14 Checks made payable to the Thrift Savings Plan.

(a) *Accord and satisfaction*. The TSP does not agree to accept less than the total amount due by negotiating an instrument such as a check, share draft or money order with a restrictive legend on it (such as “payment in full” or “submitted in full satisfaction of claims”), or by negotiating an instrument that is conditionally tendered to the TSP with an offer of compromise.

(b) *TSP Payment Address*. The TSP has established an address for the receipt of specified TSP payments. The TSP will not answer correspondence mailed to that payment address.

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LIST OF PUBLIC LAWS

This is a continuing list of public bills from the current

session of Congress which have become Federal laws. It may be used in conjunction with "PLUS" (Public Laws Update Service) on 202-741-6043. This list is also available online at http://www.archives.gov/federal_register/public_laws/public_laws.html.

The text of laws is not published in the **Federal Register** but may be ordered in "slip law" (individual pamphlet) form from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402 (phone, 202-512-1808). The text will also be made available on the Internet from GPO Access at <http://www.gpoaccess.gov/plaws/index.html>. Some laws may not yet be available.

H.R. 1268/P.L. 109-13

Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief, 2005 (May 11, 2005; 119 Stat. 231)

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TABLE OF EFFECTIVE DATES AND TIME PERIODS—JUNE 2005

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dates, the day after publication is counted as the first day.

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A new table will be published in the first issue of each month.

| DATE OF FR PUBLICATION | 15 DAYS AFTER PUBLICATION | 30 DAYS AFTER PUBLICATION | 45 DAYS AFTER PUBLICATION | 60 DAYS AFTER PUBLICATION | 90 DAYS AFTER PUBLICATION |
|------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| June 1 | June 16 | July 1 | July 18 | August 1 | August 30 |
| June 2 | June 17 | July 5 | July 18 | August 1 | August 31 |
| June 3 | June 20 | July 5 | July 18 | August 2 | Sept 1 |
| June 6 | June 21 | July 6 | July 21 | August 5 | Sept 6 |
| June 7 | June 22 | July 7 | July 22 | August 8 | Sept 6 |
| June 8 | June 23 | July 8 | July 25 | August 8 | Sept 6 |
| June 9 | June 24 | July 11 | July 25 | August 8 | Sept 7 |
| June 10 | June 27 | July 11 | July 25 | August 9 | Sept 8 |
| June 13 | June 28 | July 13 | July 28 | August 12 | Sept 12 |
| June 14 | June 29 | July 14 | July 29 | August 15 | Sept 12 |
| June 15 | June 30 | July 15 | August 1 | August 15 | Sept 13 |
| June 16 | July 1 | July 18 | August 1 | August 15 | Sept 14 |
| June 17 | July 5 | July 18 | August 1 | August 16 | Sept 15 |
| June 20 | July 5 | July 20 | August 4 | August 19 | Sept 19 |
| June 21 | July 6 | July 21 | August 5 | August 22 | Sept 19 |
| June 22 | July 7 | July 22 | August 8 | August 22 | Sept 20 |
| June 23 | July 8 | July 25 | August 8 | August 22 | Sept 21 |
| June 24 | July 11 | July 25 | August 8 | August 23 | Sept 22 |
| June 27 | July 12 | July 27 | August 11 | August 26 | Sept 26 |
| June 28 | July 13 | July 28 | August 12 | August 29 | Sept 26 |
| June 29 | July 14 | July 29 | August 15 | August 29 | Sept 27 |
| June 30 | July 15 | August 1 | August 15 | August 29 | Sept 28 |